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LEGISLATIVE REVIEW
1973

Montana Legislative Council
State Capitol
Helena, Montana

Errata Sheet

Page No.	Correction
10	The date signed by governor for Chapter 40 should be changed from 2/19/73 to 2/10/73.
14	The effective date for Chapter 59 should be changed from 7/1/73 to 2/25/73.
32	The House bill number for Chapter 137 should be changed from HB 10 to HB 19.
49	The effective date for Chapter 216 should be changed from 3/8/73 to 7/1/73.
49	A notation should be made on Chapter 220 that "Section 4 is not effective until March 8, 1974."
60	The Chapter number for HB 540 (last line on page) should be changed from 272 to 273.

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43rd Legislature

January 1, 1973 to March 24, 1973

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LEGISLATIVE REVIEW

FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION

1973

Chapter No.	Bill No.	Chief Sponsor	Effective Date	Date Signed By Governor
		Summary of Provisions		
1	SB 2	Groff	1/6/73	1/6/73
	Sets salary schedules for officers and employees of the forty-third legislative assembly; provides modification of hourly salary rates and/or positions by joint action of legislative administration committees for persons employed by both house and senate.			
2	SB 55	Bertsche	1/11/73	1/11/73
	Extends the time for filing certificates of candidacy for the office of city commissioner from ten to thirty-five days prior to a municipal primary election. Amends Sec. 11-3215			
3	SB 3	Lynch (by request)	7/1/73	1/24/73
	(constitutional implementation) Increases the size of grand juries from seven to eleven persons and raises the number of grand jurors required to concur on an indictment from five to eight; increases the minimum and maximum number of jurors drawn for empanelment from 10-15 to 15-20. Amends Sections 95-1401, 95-1402, 95-1410, 93-1801, 93-1802			
4	SB 4		7/1/73	1/24/73
	(constitutional implementation) Allows defendants in criminal cases to waive trial by jury, in			

Chapter No.	Bill No.	Chief Sponsor	Effective Date	Date Signed By Governor
		Summary of Provisions		
	which case questions of law and fact are decided by the court; requires the unanimity of jurors returning a verdict in all criminal actions rather than a 2/3 majority. Amends Sections 95-1901, 95-1915, 95-2006			
5	SB 19	Moore	7/1/73	1/24/73
	Subjects justices of the peace to impeachment under the jurisdiction of the Montana Supreme Court; changes "other state officers" to executive officers and heads of state departments as liable for impeachment; changes "high crimes" to felonies as a cause for impeachment. Amends Sections 93-104, 94-5401			
6	SB 34	Lynch	7/1/73	1/24/73
	(constitutional implementation) Revises language in Section 93-2906 by deleting an 1889 constitutional reference and rearranging subsection four, which lists exceptions to changing a place of trial upon disqualification of a judge. Amends Section 93-2906			
7	SB 11	Moore (by request)	7/1/73	1/29/73
	(constitutional implementation) Revises various references to the oath of office contained by Article XIX, Sec. 1 of the 1889 Montana Constitution to comply with the abbreviated oath of office contained in Article III, Sec. 3 of the 1972 Montana Constitution. Amends Sections 11-719, 11-3326, 16-3204, 59-413, 72-102 Repeals Section 59-414			
8	SB 13	Moore (by request)	7/1/73	1/29/73

Chapter No.	Bill No.	Chief Sponsor	Effective Date	Date Signed By Governor
		Summary of Provisions		
		(constitutional implementation) Specifies that all elections held in the state shall be by secret ballot. Amends Section 23-2602		
9	SB 15	Moore (by request)	7/1/73	1/29/73
		(constitutional implementation) Lowers the age at which a Montana citizen is eligible to hold civil office from nineteen to eighteen years. Amends Section 59-301		
10	SB 20	Moore (by request)	7/1/73	1/29/73
		(constitutional implementation) Requires that the impeachment of a state officer be concurred in by 2/3 of the house membership, rather than a simple majority. Amends Section 94-5402		
11	SB 22	Moore (by request)	7/1/73	1/29/73
		(constitutional implementation) Removes the jurisdictional minimum of $50 on causes of action which may be prosecuted in the district court; revises the statutory language on the district court's original jurisdiction to correspond with Article VII, Section 4 of the 1972 Montana Constitution. Amends Section 93-318		
12	SB 45	Hazelbaker	1/30/73	1/30/73
		Changes the name of the legislative proceeding document formerly entitled "status of proceedings" to "daily journal." Amends Section 43-901		

Chapter No.	Bill No.	Chief Sponsor	Effective Date	Date Signed By Governor

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13	SB 24	Moore (by request)	7/1/73	2/5/73

(constitutional implementation) Increases the term of office for justices of the supreme court from six to eight years; deletes obsolete sections which dealt with the composition of the original Montana Supreme Court.

Amends Section 93-201
Repeals Sections 93-202 through 93-206

14	SB 25	Moore (by request)	7/1/73	2/5/73

(constitutional implementation) Increases the term of office for district court judges from four to six years.

Amends Section 93-302

15	SB 30	Lynch (by request)	7/1/73	2/5/73

(constitutional implementation) Changes eligibility requirements for the offices of Justice of the Supreme Court and District Court Judge; raises residency requirement from one to two years; requires five years' practice of law within the state; eliminates minimum age requirement; requires supreme court justices to reside within the state.

Amends Section 93-702
Repeals Section 93-701

16	SB 79	McKeon	7/1/73	2/5/73

Defines "confinement" of prisoners in Montana State Prison as whenever such prisoners are under the jurisdiction of prison authorities, regardless of geographic location.

Amends Section 94-4203

Chapter No.	Bill No.	Chief Sponsor	Effective Date	Date Signed By Governor

Summary of Provisions

17	HB 3	Gerke	7/1/73	2/5/73

(constitutional implementation) Lowers the qualifying age for the office of Superintendent of Public Instruction from 30 to 25 years.

Amends Section 75-5702

18	HB 40	Kosena	7/1/73	2/5/73

Requires that costs for conducting preliminary and feasibility studies be included as construction costs in any approved water conservancy district.

Amends Section 89-3411

19	HB 41	Kosena	7/1/73	2/5/73

Requires the submission of a petition signed by 10% of the registered voters residing with the boundries of a proposed water conservancy district prior to the initiation of any preliminary surveys by the Department of Natural Resources and Conservation.

Amends Section 89-3404

20	SB 36	Turnage	7/1/73	2/7/73

Allows state medical assistance payments to persons whose income is below the federal requirement for assistance and to medically needy children under 21 years of age; sets priorities for the distribution of medical assistance funds.

Amends Sections 71-1516 and 71-1517

21	SB 21	Moore	2/8/73	2/8/73

(constitutional implementation) Creates a Districting and Apportionment Commission composed of five citizens who are not public officials; four commissioners, designated by the majority and minority leaders in each house, elect a fifth commissioner who serves as chairman; vacancies to

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be filled by appointing authority; provided compensation to commissioners at $20 per day plus actual expenses; technical and staff services to be provided by Director of the Legislative Council; sets procedure for submission of the commission plan to 1974 and subsequent legislatures; prohibition against commission members seeking election to legislature within two years from the effective date of the commission plan.

22	SB 33	Lynch (by request)	7/1/73	2/8/73

(constitutional implementation) Requires that the names of incumbent supreme court justices and district court judges be place on general election ballots in cases where their races are uncontested; provides ballot entry for question of retaining incumbent justices and judges.

23	SB 35	Lynch (by request)	7/1/73	2/8/73

(constitutional implementation) Consolidates sections which distribute the state's 56 counties among eighteen judicial districts.

Amends Section 93-301
Repeals Sections 93-301.1, 93-301.2, 93-301.3, 93-301.4

24	SB 46	Carl	7/1/73	2/8/73

Requires the state Department of Administration to inspect public school construction projects on request of school districts to insure compliance with construction plans and specifications; cost of state inspection to be contracted for between the department and the school district.

Amends Sections 82-3314, 82-3317

25	SB 64	Himsl	7/1/73	2/8/73

Provides taht the political party of the Governor shall decide the votes for President of the Senate or Speaker of the House for purposes of organizing each chamber.

Chapter No.	Bill No.	Chief Sponsor	Effective Date	Date Signed By Governor

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26	SB 68	Lowe	7/1/73	2/8/73

Increases the maximum mill levy for maintaining, operating or equipping a county civic center from one to two mills.

Amends Section 16-1179

27	SB 91	Mathers	7/1/73	2/8/73

Changes the geographical basis for establishing livestock disease control areas from township boundries to school district boundries; provides for administration by the Department of Livestock.

Amends Section 46-212

28	HB 2	Gerke (by request)	7/1/73	2/8/73

(constitutional implementation) Provides for the joint nomination and election of the Governor and Lieutenant Governor; eliminates filing fee for Lieutenant Governor; specifies that vacancy in one position is not to affect remaining candidate.

Amend Sections 23-3304, 23-3308, 23-3314, 23-3321, 23-3513

29	HB 4	Gerke (by request)	7/1/73	2/8/73

(constitutional implementation) Provides for succession to office of Governor by Lieutenant Governor, President of the Senate and Speaker of the House; if Speaker is unable to serve, election of Governor and Lieutenant Governor is by joint session of the legislature; provides similar procedures for Acting Governor.

30	HB 7	Gerke (by request)	7/1/73	2/8/73

(constitutional implementation) Removes the Governor's power to pocket veto a bill passed by

Chapter No.	Bill No.	Chief Sponsor	Effective Date	Date Signed By Governor

Summary of Provisions

both houses by not approving it within 15 days after the legislature has adjourned; provides that all bills remaining with the Governor for 25 days after the legislature has adjourned shall become law.

Amends Section 43-505
Repeals Section 43-506

31	HB 8	Gerke (by request)	7/1/73	2/8/73

(constitutional implementation) Exempts from gubernatorial approval all bills proposing amendments to the Montana Constitution, ratifying proposed amendments to the United States Constitution, resolutions and initiative and referendum measures.

Amends Section 43-501

32	HB 12	Shelden (by request)	7/1/73	2/8/73

(constitutional implementation) Removes age and sex qualifications from composition of the Montana militia.

Amends Section 77-102

33	HB 14	Shelden (by request)	7/1/73	2/8/73

(constitutional implementation) Deletes references to the definition of taxable property contained in Article XIII, Sections 5 and 6 of the 1889 Montana Constitution; limits maximum municipal bonded indebtedness at 5% of the assessed value of taxable property.

Amends Sections 11-2303, 16-808, 75-7104

34	HB 20	Ainsworth (by request)	7/1/73	2/8/73

(constitutional implementation) Authorizes the

Chapter No.	Bill No.	Chief Sponsor	Effective Date	Date Signed By Governor

Summary of Provisions

Superintendent of Public Instruction to receive and distribute funds provided by the federal government for distribution to non-public education.

Amends Section 75-7303

35	HB 32	Lucas (by request)	7/1/73	2/8/73

(constitutional implementation) Provides procedures for initiative constitutional revision; forms for initiative petition; time for filing petitions; penalties.

Amends Section 37-109
Enacts Sections 37-201, 37-202, 37-203

36	HB 33	Lucas (by request)	7/1/73	2/8/73

(constitutional implementation) Requires the submission of the question of holding an unlimited constitutional convention by the 1990 general election; same question to be submitted each 20th year following previous submission; provides sample ballot to be used for submission of question.

37	HB 34	Lucas (by request)	7/1/73	2/8/73

Makes all initiative and referendum measures effective on the first day of July following their approval, unless otherwise provided for in the measure approved.

Amends Section 37-108

38	HB 35	Lucas (by request)	7/1/73	2/8/73

(constitutional implementation) Changes the publication time for proposed amendments to the state constitution from once a week for four weeks

Chapter No.	Bill No.	Chief Sponsor	Effective Date	Date Signed By Governor
		Summary of Provisions		
		prior to the next general election to twice a month for two months prior to the election at which such amendments are to be voted upon. Amends Section 23-2802		
39	HB 72	Holtz	7/1/73	2/8/73
		Prescribes procedures for the licensing and bonding of grain merchandisers; designates the Department of Agriculture as administrator of act; sets minimum license fee of $15 and permits graduated fee schedules based on volume of licensee's business; certain feed lot operators, custom combiners and persons hauling grain for hire are exempt from licensing requirement. Repeals Section 3-228		
40	SB 14	Moore (by request)	7/1/73	2/~~19~~10/73
		(constitutional implementation) Extends voting proviledges to persons 18 years of age or older for all state and national elections; deletes residency requirement contained in 1889 constitution; restricts a felon's right to vote only while he is serving sentence in a penal institution. Amends Section 23-2701 Repeals Section 11-716		
41	SB 74	Bollinger	7/1/73	2/10/73
		Deletes the requirement that the State Archivist establish and administer a program for managing state records. Amends Section 82-3209		
42	SB 102	McKeon	7/1/73	2/10/73
		Repeals statutory salary schedule of the State Liquor Administrator, his administrative employees, and retail liquor vendors.		

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Summary of Provisions

Repeals Section 4-108

43	HB 31	Lucas (by request)	2/10/73	2/10/73

(constitutional implementation) Revises prohibition against state officers and employees having an interest in state contracts; prohibits municipal employees and employees of any agency or board from having an interest in contracts entered into by their employers; increases minimum fine for violation from $100 to $500.

Amends Sections 59-501, 82-1922
Repeals Section 82-1144

44	SB 75	Nees	7/1/73	2/14/73

Exempts water conditioner installers from regulation under the State Board of Plumbing Examiners.

Amends Section 66-2426

45	SB 77	Zody	7/1/73	2/14/73

Requires school districts which have students attending state institutions to make transportation payments if such students attend summer sessions.

Amends Section 75-7810

46	SB 107	Graham	7/1/73	2/14/73

Exempts from additional motor vehicle fees all licensed dealers' vehicles under 24,000 pounds while such vehicles are being used for demonstration purposes in the course of the dealer's business.

Amends 53-626

47	SB 110	Graham	7/1/73	2/14/73

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Summary of Provisions

Requires payment of all motor vehicle fees on new and used vehicles operating with current rear windshield stickers (Sections 53-109.1 and 53-109.2) at time of registration.

Amends Section 32-3201

48	SB 148	Carl	7/1/73	2/14/73

Raises fee for food purveyors' license from $5.00 to $10.00.

Amends Section 27-614

49	SB 161	Carl	7/1/73	2/14/73

Designates the Department of Administration to receive and coordinate the review of all school construction plans which require state agency approval.

50	SB 170	Bertche	2/14/73	2/14/73

Prevents disability insurers from excluding from coverage any resident of a Montana institution, provided such individual would be eligible for coverage outside such institution.

51	HB 91	Bardanouve	7/1/73	2/14/73

Removes the maximum annual charge of $4.00 per acre for the administration, maintenance and repair of tracts of irrigable land within irrigation districts containing two acres or more.

Amends Section 89-1804

52	HB 95	Tierney	7/1/73	2/14/73

Requires that all imitation Indian articles offered for sale be physically segregated from authentic Indian articles for display purposes.

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Summary of Provisions

Amends Section 85-302

53	HB 106	Stephens	7/1/73	2/14/73

Repeals Section 3-2920, which provided that the "Montana Wheat Research and Marketing Act" would be in effect for seven years beginning August 20, 1967.

Repeals Section 3-2920

54	SB 67	Lynch	7/1/73	2/25/73

Prohibits insurers from establishing a special risk classification based on information from a driving record which is three years old or older.

Amends Section 40-3640

55	SB 71	Moore	7/1/73	2/25/73

Removes the presumption to a deferred imposition of sentence for the first violation of sale of dangerous drugs by a person 21 years of age or under.

Amends Section 54-132

56	SB 146	Devine	7/1/73	2/25/73

Abolishes residency requirements for city policemen.

Amends Section 11-1814

57	SB 184	Nees	7/1/73	2/25/73

Allows additional bridge fund levy of two mills in counties where the total linear feet of bridges exceeds 6,000 feet and the taxable valuation of the county is between $4 million and $20 million.

Amends Section 32-3602

58	SB 204	Hazelbaker	7/1/73	2/25/73

Chapter No.	Bill No.	Chief Sponsor	Effective Date	Date Signed By Governor
		Summary of Provisions		
		Allows two additional supervisors to be appointed for three year terms in conservation districts containing incorporated municipalities; the additional supervisors are to be appointed by the legislative bodies of each municipality contained in the district, however not more than one supervisor may be a resident of each municipality represented. Amends Section 76-107		
59	SB 236	Hazelbaker	~~7/1/73~~ 2/25/73	2/25/73
		Removes the Secretary of State's duty to brand and sidenote session laws and to indelibly brand all books distributed to state officers. Amends Section 82-2210 Repeals Section 82-2204		
60	SB 285	Hazelbaker	7/1/73	2/25/73
		Requires every municipal police officer to meet the minimum qualifying standards for employment as promulgated by the Board of Crime Control. Amends Section 11-1814		
61	SB 286	Hazelbaker	2/25/73	2/25/73
		Grants to Board of Crime Control the authority to establish minimum qualifying standards for the employment of peace officers; may include standards for basic training, training schools, equipment and procedures for in-service training; the board may waive any standard for good cause shown. Amends Section 82A-1207		
62	SB 287	Hazelbaker	7/1/73	2/25/73
		Provides that no person may be appointed a special deputy sheriff, marshal, or policeman who does not meet the minimum qualifying standards promulgated by the Board of Crime Control.		

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Summary of Provisions

Amends Section 16-3705

63	HB 10	Lucas (by request)	7/1/73	2/25/73

(constitutional implementation) Provides that if the legislature is not in session when the Governor vetoes a bill, he shall return the bill together with his reason for the veto to the Secretary of State; Secretary of State must mail copy of vetoed bill and message to each legislator; legislature may convene in special session to reconsider any bill so vetoed.

Amends Section 43-504

64	HB 27	Ainsworth (by request)	7/1/73	2/25/73

(constitutional implementation) Extends initiative and referendum powers to counties; resolutions proposed by 15% of the county voters and not acted upon by county commissioners is submitted to voters at general election; special election on question must be called upon petition of 15% of the county electorate; procedures for judicial review of resolutions same as for cities; provides procedures for submission of question, canvassing of vote and notification of result.

65	HB 29	Lucas (by request)	7/1/73	2/25/73

(constitutional implementation) Consumer Counsel Act creates legislative consumer standing committee consisting of two bi-partisan members of each house; legislators associated with a regulated company may not be appointed; committee to meet quarterly with a Consumer Counsel appointed and salaried by the committee membership; Counsel to have background in accounting and be admitted to practice law in Montana; Counsel to represent the consuming public at hearings and has investigatory powers necessary to perform his duties; Department of Revenue to calculate a quarterly feed based on the

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Summary of Provisions

gross operating revenue of regulated companies which is sufficient to fund the operations of the legislative consumer committee.

66	HB 30	Lucas (by request)	2/25/73	2/25/73

(constitutional implementation) Creates Montana Salary Commission, composed of eight members, none of whom are public officers; two members each, representing the two major political parties and two U.S. congressional districts, are chosen first by the Governor, then the Supreme Court, then the Majority and Minority leadership of the Senate, and finally by the Speaker and Minority leader of the House of Representatives; Commission members serve four year staggered terms and meet first on July 10, 1973; Commission's duties are to make recommendations to the legislative assembly as to salary levels and expenses of the judiciary and elective members of the legislative and executive branches; recommendations are based on comparative studies compiled by the Commission or by other agencies at the request of the Commission; staff services to be provied by the Executive Director of the Legislative Council or his delegate.

67	HB 48	Gerke (by request)	7/1/73	2/25/73

(constitutional implementation) Includes the State Auditor as a member to the State Board of Land Commissioners, in addition to the Governor, Superintendent of Public Instruction, Secretary of State and the Attorney General.

Amends Sections 81-103 and 82-904

68	HB 74	Kendall	7/1/73	2/25/73

Requires county weed control supervisors to control weeds and to exterminate weed seed on public streets, alleys and municipally owned land in addition to public highways and county-owned

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Summary of Provisions

lands in their respective weed control districts.

Amends Section 16-1719

69	HB 80	Fagg	7/1/73	2/25/73

Allows school district trustees to require all children, on enrollment, to be immunized against communicable diseases; types of immunizations and frequency of their administration to be recommended by the State Department of Health and Environmental Sciences; children may be exempted for medical or religious reasons.

Amends Section 75-5933

70	HB 231	Hageman	7/1/73	2/25/73

Revises the distribution of fees collected by the Department of Agriculture for the inspection, weighing and testing of grain; deletes 1% distribution to state general fund from the wheat research and marketing account; deletes 5% distribution to state general fund from fees collected by the Department of Agriculture.

Amends Sections 3-233 and 3-2917

71	HB 282	Hager	7/1/73	2/25/73

Eliminates the use of the Montana State Egg Seal and the sale of such seals by the Commissioner of Agriculture; repeals provisions relating to the labeling and use of imported eggs by restaurants, etc.

Amends Sections 3-2308 and 3-2315
Repeals Sections 3-2307 and 3-2312

72	SB 17	Moore (by request)	2/27/73	2/27/73

(constitutional implementation) Provides compensation to legislators for each legislative day while

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in session; raises legislative mileage allowance from $.09 to $.12 per mile and expense allowances from $25 to $33 for seven days per week while in session; permits payment of mileage, compensation and expense allowances while going to, attending and returning from standing committee meetings and other business authorized by the chairman of the Legislative Council during the legislative interim; major provisions of act are retroactive to 1/1/73.

Amends Section 43-310

73	HB 11	Shelden (by request)	7/1/73	3/3/73

(constitutional implementation) Revises definition and application of executive clemency to correspond to new constitutional definition (Art. VI, Sec. 12) and to recognize a related constitutional provision which automatically restores full rights to felons upon termination of state supervision (Art. II, Sec. 28).

Amends Sections 94-9823, 94-9841, 94-9842

74	HB 59	Lockrem	7/1/73	3/3/73

Provides that no group disability policy or certificate of insurance, which, in addition to covering persons in the insured group, also covers members of such person's family, may be issued or amended in this state if it contains any limitation of coverage of newborn infants of persons in the insured group from and after the moment of birth.

Amends Sections 40-4002, 40-4101, 40-4102

75	HB 70	Brand	7/1/73	3/3/73

Providing for interstate parole and probation hearing procedures; where parolee or probationer is being supervised pursuant to the interstate compact for the supervision of parolees and probationers, the appropriate Montana authorities must notify the

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	compact administrator of the sending state whenever consideration should be given to reincarceration for a parole or probation violation. Prior to such notification, a hearing may be held in the manner set forth in the act; during hearings, parolee or probationer is allowed assistance of counsel, a hearing record, out-of-state hearings, and confrontation of witnesses.			
76	HB 114	Cox	3/3/73	3/3/73
	Allows a combination of school buildings, or more than one school bus, to be considered a single purpose requiring a single school bond election ballot. Amends Section 75-7103			
77	HB 172	Kimble	7/1/73	3/3/73
	Abolishes the Mined Land Reclamation Advisory Committee provided for in section 50-1021(11), R.C.M. 1947.			
78	HB 182	Marbut	7/1/73	3/3/73
	Abolishes the Sanatarian Advisory Council, created in section 69-3402, R.C.M. 1947.			
79	HB 215	Kolstad	7/1/73	3/3/73
	Requires the State Board of Hail Insurance to appoint "a sufficient number" of appraisers annually to appraise crop losses, rather than the former three men in each county. Amends Section 82-1515			
80	HB 376	Hall	7/1/73	3/3/73
	Provides for annual validation of judicial sales.			
81	HB 380	Hall	7/1/73	3/3/73

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Summary of Provisions

Validates deeds and conveyances in sales of land and personal property made by trustees, executors, administrators and guardians prior to January 1, 1973; cures defects and irregularities in such sales.

82	HB 382	Hall	7/1/73	3/3/73

Validates deeds and conveyances made prior to January 1, 1973, which are defective in execution or acknowledgment, providing that such instruments shall be conclusive evidence of title against the grantors.

83	SB 140	Carl	7/1/73	3/3/73

Requires that architects or engineers retained for work on any state construction project be appointed by the state controller from a list of three architects or consulting engineers proposed by the state board, institution or agency where the work is to be done.

Amends Section 82-3319

84	SB 149	McKeon	7/1/73	3/3/73

Adds as cause for granting a divorce "irreconcilable differences", which have existed for a period of six months before the commencement of a divorce action and which have caused the irremediable breakdown of the marriage; this cause need not be pleaded in the particular.

Amends Section 21-103

85	SB 155	Drake	3/3/73	3/3/73

Authorizes city councils or commissions to utilize a cost/benefit assessment method to fund off-street parking districts; provides alternative formulas for determining proportional benefits to be received by each tract of land within the proposed district; requires a hearing to be held on the ordinance which sets forth the cost/benefit assessment

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formula chosen by the city council or commission.

Amends Section 11-2214

86	SB 157	Drake	7/1/73	3/3/73

Prohibits the formation of a municipal corporation whose proposed boundries lie within three miles of any presently incorporated city or town, unless it can be shown that such presently incorporated city or town has refused to annex the proposed territory.

Amends Section 11-203

87	SB 166	McKeon	3/3/73	3/3/73

Transfers functions of electrical inspection and electrical code making from the Department of Law Enforcement and Public Safety to the Department of Professional and Occupational Licensing.

Enacts Section 82A-1607

88	SB 171	Zody	7/1/73	3/3/73

Allows school district trustees to receive and expend monies received from the lease of school facilities.

Amends Sections 75-7214 and 75-8211

89	SB 176	Hall	7/1/73	3/3/73

Deletes requirement that licensed textbook dealers file a copy of all textbooks offered for sale to school districts with the Superintendent of Public Instruction.

Amends Sections 75-7604, 75-7605, 75-7607
Repeals Sections 75-7606 and 75-7611

90	SB 185	McKeon	7/1/73	3/3/73

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Summary of Provisions

Allows poor person to commence or defend actions before administrative tribuanals without being subject to costs.

Amends Section 93-8625

91	SB 210	James	7/1/73	3/3/73

Corrects minor errors and omissions and clarifies the intent of certain sections of the 1971 School Law Recodification Act.

Amends Sections 75-5916, 75-5941, 75-6303, 75-6410, 75-6412, 75-6508, 75-7810, 75-8205

92	SB 288	Moritz	7/1/73	3/3/73

Allows pupils attending state institutional schools to participate in the federally-funded school food services program administered by the superintendent of public instruction, providing such pupils meet applicable state and federal requirements.

93	SB 6	Lynch (by request)	7/1/73 Sections 1&3 3/5/73 Section 2	3/5/73

(constitutional implementation) Gives the state district courts exclusive jurisdiction on any claim against the state for injury to person or property accruing on or after July 2, 1973 (Sec. 1); removes sovereign immunity from the state and all other local governmental entities; allows the state, through the department of administration, to provide for self-insurance against claims for injury and grants all other local governmental entities the right to purchase similar coverage (Sec. 2).

Amends Section 83-701
Enacts Section 83-706.1
Repeals Section 83-706

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		Summary of Provisions		
94	SB 9	Lynch (by request)	7/1/73	3/5/73
	(constitutional implementation) Implements "adult rights" provision of the 1972 Montana Constitution (Art. II, Sec. 14) by granting certain rights to persons 18 years of age or older; includes right to: be licensed for certain occupations, marry without parental consent, lease or purchase state lands and serve as jurors. Amends Sections 3-1503, 4-161, 4-330, 4-337, 4-413, 4-439, 4-502, 4-504, 4-506, 11-951, 11-1602, 11-1817, 26-915, 31-127, 31-128, 40-5324, 41-1135, 41-1136, 41-2304, 48-143, 59-301, 61-203, 64-101, 66-1305, 66-3208, 69-1509, 69-1604, 75-8702, 80-1415, 81-407, 81-908, 93-1301, 93-100-2, 94-2721, 94-3702, 94-35-106, 94-35-106.2.			
95	SB 32	Lynch (by request)	7/1/73	3/5/73
	(constitutional implementation) Creates the Judicial Standards Commission consisting of five members selected as follows: two district court judges elected by the district judges, one attorney with ten years practice in Montana and one citizen from each congressional district appointed by the Governor; members appointed for four-year terms; Commission may initiate or receive complaints against any state judicial officer, hold hearings and make recommendations to the supreme court relative to the censure, suspension, removal or retirement of a judicial officer.			
96	SB 50	Hazelbaker	7/1/73	3/5/73
	Transfers the functions of the Secretary of State relating to printing and distributing session laws and journals to the Legislative Services Division of the Legislative Council; deletes sidenoting requirements. Amends Sections 82-2202, 82-2208, 82-2203, 82-2210, 82-2211, 82-2212 Repeals Section 82-2204			

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97	SB 57	Mathers	7/1/73	3/5/73

Raises the base rate for rental of state-owned grazing land to $.50 plus three times the average price per pound of beef cattle on the farm in Montana for the previous year times the animal-unit-month carrying capacity of the land.

Amends Section 81-433

98	SB 59	Keenan	7/1/73	3/5/73

Increases the scale of contributions for which living relatives of needy persons are liable in order to correspond with current income and consumer price levels.

Amends Section 71-235

99	SB 63	Groff	7/1/73	3/5/73

Provides for the automatic disincorporation of any city or town whose governing body fails to function for a period of two years; provides procedures for the disincorporation of any city or town following petition of 20% of the electorate; procedures for vote on question of disincorporation, ballot, canvass; requires 60% affirmative vote for disincorporation; contains procedures for receivership and management of disincorporated area's affairs by board of county commissioners; authorizes commissioners to levy tax on residents of disincorporated area to repay outstanding debt and to maintain utilities.

Repeals Sections 11-306, 11-307

100	SB 73	Drake	7/1/73	3/5/73

Removes references to the 1889 Montana Constitution from the codes and amends or deletes other statutory language in compliance with the 1972 Montana Constitution; most amended sections delete references to qualifications for electors or public officers contained in the 1889 Constitution and subsequently included in statutes.

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Amends Sections 11-966, 11-1304, 11-2216, 11-3229, 16-2008, 16-2010, 16-2501, 16-2504, 16-2505, 16-3203, 19-103.1, 23-3012, 32-2601, 32-3802, 32-3804, 36-203, 36-205, 40-4705, 41-1603, 43-508, 46-1903, 59-203, 59-413, 60-125, 66-2604, 72-102, 75-5701, 75-5801, 75-5802, 75-6203, 75-6410, 75-7104, 75-8113, 79-1201, 79-1206, 79-1211, 79-1212, 79-1215, 79-2411, 81-101, 81-905, 81-1001, 81-1102, 81-1712, 82-501, 82-3801, 82-3802, 82-3803, 84-404, 84-701, 84-1901, 84-3804, 84-4713, 84-5214, 91-520, 93-4215, and 93-4216, R.C.M. 1947.
Repeals Sections 3-101.1, 4-348, 16-405, 16-2407, 23-2701.1, 41-1609, 75-6410.1, 84-211, and 84-707, R.C.M. 1947.

101	SB 78	Zody	7/1/73	3/5/73

Authorizes the mental retardation center at Glendive to accept and admit mentally retarded persons not residing in Montana when this state has formally agreed to such admissions by agreement with another state.

Amends Section 80-2310

102	SB 90	McDonald	7/1/73	3/5/73

Deletes the requirement of proof of purity of breed and sires used for artificial insemination; abolishes license precedures for practice of artificial insemination of livestock.

Amends Sections 46-2515 and 46-2505
Repeals Sections 46-2501, 46-2504, and 46-2506 through 46-2514

103	SB 98	McDonald	7/1/73	3/5/73

Permits boards of county commissioners to use interest from the investment of bond sinking and interest funds to fulfill or complete the project for which the bonds were issued.

Amends Section 16-2041

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		Summary of Provisions		
104	SB 100	Lynch	7/1/73	3/5/73
	Requires carriers of all classes of insurance to consider revenues and profits derived from reserves when making premium rates. Amends Section 40-3640			
105	SB 105	James	7/1/73	3/5/73
	Requires that district school superintendents or county high school principals be notified in writing of the trustees' intention to terminate their services at the expiration of their current contracts. Amends Section 75-6112			
106	SB 116	Siderius	7/1/73	3/5/73
	Deletes obsolete sections of the Workmens's Compensation Act regarding compensation to certain heirs, contracts for hospital benefits and use of the American experience table of mortality. Repeals Sections 92-501, 92-503, 92-504, 92-505, 92-610, 92-810			
107	SB 118	Siderius	7/1/73	3/5/73
	Enacts section in Workmen's Compensation Act to define "temporary total disability" as a condition resulting from an injury which results in total loss of wages and exists until the injured workman is as far restored as the permanent character of the injuries will permit. Enacts Section 92-439			
108	SB 119	Siderius	7/1/73	3/5/73
	Enacts section in Workmen's Compensation Act to define "permanent partial disability" as a condition resulting from an injury which results in the actual loss of earnings or earning capacity less			

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than total that exists after the injured workman is as far restored as the permanent character of the injuries will permit.

Enacts Section 92-440

109	SB 120	Keenan	7/1/73	3/5/73

Enacts section in Workmen's Compensation Act to define "permanent total disability" as a condition resulting from an injury which results in the loss of actual earnings or earning capability that exists after the injured workman is as far restored as the permanent character of the injuries will permit and which results in the workman having no reasonable prospect of finding regular employment in the normal labor market.

Enacts Section 92-441

110	SB 150	Carl	3/5/73	3/5/73

Prohibits the issuance of non-resident hunting licenses to persons under the age of 18 unless such person has a certificate of competency as provided in section 26-202.1(2)(a) or has completed a course in the safe handling of firearms.

Amends Section 26-202.1

111	SB 160	McOmber	7/1/73	3/5/73

Increases the maximum amount for which irrigation district commissioners may contract for district business from $10,000 to $25,000.

Amends Section 89-1301

112	SB 186	McKeon	7/1/73	3/5/73

Deletes the requirement that any balance of funds over $7,500 remaining in the Board of Real Estate earmarked revenue fund on December 31 of each year be transferred to the state general fund.

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Summary of Provisions

Repeals Section 66-1928

113	SB 193	Thiessen	7/1/73	3/5/73

Revises the conditions under which the board of school budget supervisors may approve an increase of the ANB used to establish the ensuing year's foundation program.

Amends Section 75-6904

114	SB 221	McNamer	7/1/73	3/5/73

Allows county treasurers to join organizations of county treasurers formed in the state; dues to be paid from county funds on approval of county commissioners.

115	SB 222	Turnage	3/5/73	3/5/73

Allows commercial or savings banks to charge off unmarketable holding of capital stock in other corporations as an investment loss; such charge-offs are to be the equivalent of the sale required of such holdings.

Amends Section 5-518

116	SB 224	Keenan	7/1/73	3/5/73

Requires persons collecting protected fish or game animals for scientific study to be representatives of accredited institutions or government agencies and to be licensed by the Fish and Game Department; allows group permits; requires report of species and numbers of animals collected.

Amends Section 26-1008

117	SB 225	Bertche	3/5/73	3/5/73

Deletes provision requiring that the State Treasurer dispose of property acquired from escheated estates by public auction.

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Repeals Section 79-813

118	SB 232	McNamer	7/1/73	3/5/73

Allows maximum bank loan to a member of a limited partnership to be based on only that portion of the partnerships' liabilities for which the borrowing partner is responsible.

Amends Section 5-523

119	SB 234	Turnage	7/1/73	3/5/73

Grants state banks the power to engage in any business or activity permitted to national banks; department of business regulation to prescribe, amend and repeal controlling regulations.

120	SB 270	Broeder	7/1/73	3/5/73

Clarifies the distance requirements within which a city, town or fire district may contract to furnish or receive fire protection service; eliminates the requirement that fire protection service be furnished to public or private parties located within one mile of city, town or district boundries.

Amends Section 11-2010

121	SB 291	James	6/30/73	3/5/73

Abolishes the tramway safety board and transfers its functions to the Department of Administration.

Enacts Section 82A-217

122	SB 297	Boylan	7/1/73	3/5/73

Designates the Department of Health and Environmental Sciences as the agency to administer state funds appropriated for use by local governments in obtaining federal matching funds for constructing water pollution control facilities; act applies to only publicly owned treatment works on which construction

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was initiated between June 30, 1966 and July 1, 1970.

123	SB 307	McDonald	7/1/73	3/5/73

Provides for optional forms of county government, including the elected county official form, the county commissioner form, the manager form and the elected county executive form; contains procedures to initiate and adopt an optional form; adds the county attorney to list of county offices that may be consolidated; deletes nonsuccession provision for county treasurer.

Amends Sections 16-901, 16-2406, 16-2412
Repeals Sections 16-2403, 16-2407, 16-3901 through 16-3923

124	SB 321	Lowe	7/1/73	3/5/73

Fxempts employees on duty for the Department of Fish and Game from statutory restrictions on locating or concentrating fish or game by vehicle or airplane.

Amends Sections 26-301, 53-1020

125	SB 323	Bollinger	7/1/73	3/5/73

Specifies that all election judges appointed by a political party must be a member of the political party they are to represent.

Amends Section 23-3202

126	SB 324	Bollinger	7/1/73	3/5/73

Requires county clerk and recorders to immediately cancel all registrations of individuals reported as deceased by the Department of Health and Environmental Sciences.

Enacts Section 23-3030

127	SB 329	DeWolfe	7/1/73	3/5/73

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Summary of Provisions

Increases the contractual maximum over which county commissioners must advertise for bids from $2000 to $4000.

Amends Section 16-1803

128	SB 334	Hazelbaker	7/1/73	3/5/73

Transfers the responsibility of indexing the legislative session laws from the Law Librarian to the Legislative Services Division of the Legislative Council.

Amends Section 44-411
Repeals Section 44-412

129	SB 357	Turnage	7/1/73	3/5/73

Adds the county attorney to the list of county officers serving four-year terms of office.

Amends Section 16-2406

130	SB 372	Gilfeather	7/1/73	3/5/73

Deletes the senior district court judge and chairman of the school district as mandatory appointees to commissions formed by a board of county commissioners to manage county buildings.

Amends Section 16-1008A

131	SB 384	Broeder	7/1/73	3/5/73

Requires cities and towns operating under an all-purpose annual mill levy to deposit into the all-purpose general fund all money received from any municipal operation supported in part or whole from an appropriation of the all-purpose levy, unless otherwise provided by law.

132	SB 390	Bollinger	7/1/73	3/5/73

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Summary of Provisions

Requires the Highway Patrol to submit four copies of their annual new-voter list to the chairman of each major political party in the state.

Amends Section 23-3001

133	SB 402	Lynch	7/1/73	3/5/73

Revises the definition of "Elderly Families" for housing authority purposes by reducing the minimum age for the head of such families from 65 to 60 years.

Amends Section 35-103

134	SB 417	Harrison	7/1/73	3/5/73

Allows municipalities to invite informal proposals from private redevelopers interested in undertaking the rehabilitation of an urban renewal area, rather than requiring formal competative bidding.

Amends Section 11-3909

135	SB 424	Aber	3/5/73	3/5/73

Prohibits the filing of false or invalid mining claims with a county clerk and recorder; sets penalty for violation at not more than five years' imprisonment or a fine of not more than $5000, or both.

136	HB 6	Gerke (by request)	7/1/73	3/5/73

(constitutional implementation) Transfers the Office of State Treasurer to the Department of Administration for administrative purposes only; State Treasurer to continue his fiscal duties and hire his own personnel.

137	HB ~~10~~ 19	Ainsworth (by request)	7/1/73	3/5/73

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Summary of Provisions

(constitutional implementation) Eliminates the requirement of an annual census of school age children by the school district trustees; provides for the distribution of interest and income monies (Sec. 75-6907) through state equalization to both elementary and high school districts.

Amends Sections 16-514, 75-5707, 75-6503, 75-6517, 75-6532, 75-6534, 75-6806, 75-6906, 75-6907, 75-6908, 75-6915, 75-6916, 75-6927, 75-8107
Repeals Sections 75-5708, 75-5810, 75-5936, 75-5937, 75-5938, 75-6909, 75-6910, 75-6911

138	HB 148	Hager	7/1/73	3/5/73

Abolishes state regulations and licensing requirements relating to hatcheries and poultry dealers.

Repeals Sections 3-2201, 3-2201.1, 3-2202, 3-2203, 3-2204, 3-2205, 3-2207, 3-2209, 3-2210, 3-2211, 3-2212

139	HB 150	Staigmiller	7/1/73	3/5/73

Provides additional license and fee classifications for resident and non-resident hunting of mountain lions.

Amends Section 26-202.1

140	HB 175	Brand	7/1/73	3/5/73

Requires that parolees arrested on charges of parole violation be allowed a hearing as promptly as convenient after arrest; provides procedures for conduct of hearing.

Amends Section 94-9838

141	HB 210	Lynch	7/1/73	3/5/73

Requires the Montana Highway Patrol to make semi-annual, rather than annual, inspections of school buses for compliance with standard No. 17 of the highway safety program issued by the U.S.

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Summary of Provisions

Department of Transportation.

Amends Sections 32-21-155.1, 75-7002

142	HB 269	Bell	7/1/73	3/5/73

Allows certain persons to examine automobile accident reports filed pursuant to the Uniform Accident Reporting Act; persons authorized include all parties to the accident or named in the report or their designated representatives.

Amends Section 32-1213

143	HB 318	Hall	3/5/73	3/5/73

Legalizes and officially adopts the second replacement of Part 2 of Volume Number 4 of the Revised Codes of Montana, 1947.

144	HB 325	Lien	7/1/73	3/5/73

Extends the time period allowed candidates for public office to file reports of campaign expenses from 15 to 20 days after the election at which such persons were candidates.

Amends Sections 94-1430, 94-1431

145	HB 377	Hall	3/5/73	3/5/73

Validates all bonds and other instruments issued by public bodies of the state; does not apply to any action or appeal instituted on or before January 1, 1973; cited as "The 1973 Bond Validating Act."

146	HB 378	Hall	7/1/73	3/5/73

Validates records of court proceedings prior to January 1, 1973, containing defects in obtaining a judgment affecting real property, in which time for appeal has expired.

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147	HB 379	Hall	7/1/73	3/5/73

Validates certain instruments affecting real property which were erroneously executed or acknowledged prior to January 1, 1973.

148	HB 381	Hall	7/1/73	3/5/73

Validates sales or dispositions made by counties in which such counties had a right, title or interest.

149	SB 43	Carl	7/1/73	3/6/73

Allows all classes of school districts to enter into contracts for less than $4000 without advertising for competetive bids.

Amends Section 75-6808

150	SB 95	Turnage	7/1/73	3/6/73

Amends the Unit Ownership Act to provide that lessees of a condominium unit may be treated as owners; places the sale of units prior to construction under the control of the Department of Business Regulation.

Amends Sections 67-2302, 67-2303, 67-2304, 67-2305, 67-2314, 67-2319, 67-2322, 67-2323

151	SB 117	Lowe	7/1/73	3/6/73

Amends the Workmen's Compensation Act to include the "state fund" within the definition of "insurer."

Amends Section 92-435

152	SB 53	Nees	7/1/73	3/6/73

Defines residency to determine state or county responsibility for support payments to general relief recipients; requires residency of one year within a county before state is no longer required to pay 100% of an individual's support.

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Summary of Provisions

Repeals Section 71-302

153	SB 92	Thiessen	7/1/73	3/6/73

Raises the per diem compensation of irrigation district commissioners from $10 to $20 and provides a mileage allowance of $.12 per mile.

Amends Section 89-1208

154	SB 113	Lowe	7/1/73	3/6/73

Replaces present definition of "employer" in the Workmen's Compensation Act; provides comprehensive coverage to subcontractors.

Enacts Section 92-410.1
Repeals Section 92-410

155	SB 122	McKeon	7/1/73	3/6/73

Provides compensation under the Workmen's Compensation Act for injuries causing partial disability; replaces similar section.

Enacts Section 92-703.1
Repeals Section 92-703

156	SB 269	Turnage	7/1/73	3/6/73

Requires that master plans prepared by city-county planning boards include recommendations for the development of areas to be set aside for use as trailer courts and mobile home sites.

Amends Section 11-3831

157	HB 9	Shelden (by request)	7/1/73	3/6/73

(constitutional implementation) Provides procedures for line item and amendatory vetoes by governor and subsequent action by legislature.

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Summary of Provisions

Amends Section 43-502

158	HB 89	Norman	7/1/73	3/6/73

Requires that a written report of all human autopsies be sent, upon request, to the physician attending the deceased at time of death, the hospital or nursing facility where the deceased was confined, and to other persons lawfully requesting the report.

Amends Section 69-5104

159	HB 104	Baucus	7/1/73	3/6/73

Amends the definition section of the Unemployment Compensation Law; expands "base period" and "benefit year" to allow for combined-wage claims; amends departmental references to conform with changes due to executive reorganization; deletes language no longer applicable.

Amends Section 87-148

160	HB 138	Glennen	7/1/73	3/6/73

Increases the probationary period served by newly appointed policemen from six months to one year.

Amends Section 11-1803

161	HB 139	Greely	7/1/73	3/6/73

Provides procedures for nominating candidates for commissioners at a special election, under commissioner-manager form of municipal government.

Amends Section 11-3207

162	HB 151	Staigmiller	7/1/73	3/6/73

Adds the mountain lion to species of game animal for which the wasting or abandonment of carcasses is allowed.

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Summary of Provisions

Amends Section 26-307

163	HB 170	Baeth (by request)	7/1/73	3/6/73

Amends Unemployment Compensation Law to clarify the definition of nonprofit organizations eligible to make payments in lieu of contributions; provides for group election by nonprofit organizations; provides appeal rights for non-profit organizations; amends language to conform with changes due to executive reorganization; deletes language no longer applicable.

Amends Section 87-109

164	HB 186	Hall	7/1/73	3/6/73

Abolishes the Advisory Council on Communications.

Repeals Section 82-3326

165	HB 188	Tierney	7/1/73	3/6/73

Allows any 20 qualified electors of a first class school district to nominate by petition as many trustee candidates as are subject to election; provides procedures for conduct of election, including sample ballot.

Amends Section 75-5915
Repeals Section 75-5914
Enacts Section 75-5914.1

166	HB 198	Stoltz	7/1/73	3/6/73

Deletes requirements that State Equalization Aid payments be distributed in December and April and that the Superintendent of Public Instruction report balance of State Equalization Funds to the board of public instruction in July and December.

Amends Sections 75-6917, 75-6918

167	HB 206	Johnston	7/1/73	3/6/73

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		Summary of Provisions		
		Protects wild buffalo by eliminating it as a big game animal; defines wild buffalo as a buffalo or bison which has not been reduced to captivity. Amends Sections 26-201, 26-202.1, 26-202.2		
168	HB 209	Forsgren	3/6/73	3/6/73
		Amends definition of "motor carrier" for licensing purposes to exempt school buses which are used in conveying pupils or other students enrolled in classes to and from classes or other school related activities supervised by school authorities. Amends Section 8-101		
169	HB 230	Cotton	7/1/73	3/6/73
		Clarifies the boundries used for determination of transportation reimbursements to parents of school children; distances are to be measured from child's residence to an established bus route stop. Amends Section 75-7019		
170	HB 308	Cox	7/1/73	3/6/73
		Provides that the manner of enforcing laborers' and materialmen's liens on oil and gas wells and pipelines shall be the same as for enforcement of materialmen's and mechanics' liens; reinstates Sections 45-1004 and 45-1005 (see parent volume) which had been repealed by Section 2, Chapter 193, Laws of 1963. Amends Section 45-1003 Enacts Sections 45-1004.1, 45-1004.2, 45-1004.3		
171	HB 416	Murphy	7/1/73	3/6/73
		Provides that county commissioners may alter election precinct boundries during general biennial election years when such changes are necessitated by the adoption of a state reapportionment plan.		

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Amends Section 23-3101

172	HB 435	Glennen	3/6/73	3/6/73

Changes from Class C to Class B motor carriers which provide transportation service by means of more than six contracts per year.

Amends Section 8-102

173	HB 436	Glennen	3/6/73	3/6/73

Provides that motor carriers may petition the board of railroad commissioners to suspend its intrastate operating authority for a period not exceeding six months; an additional six months' suspension may be requested and granted, but no other.

Enacts Section 8-107.1

174	HB 486	Lien	3/6/73	3/6/73

Revises the definition of "motor vehicle" to delete certain provisions and to include all vehicles used for the transportation of property or persons over the public highways of the state, and any trailer, semitrailer, dollie or other vehicle drawn thereby.

Amends Section 8-101

175	SB 258	Deschamps	6/1/73	3/7/73

Revises schedule of fees paid to the Department of Agriculture for the registration of apiaries.

Amends Section 82-808

176	SB 273	Gilfeather	7/1/73	3/7/73

Removes requirement that voters in school district bond elections be taxpayers.

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		Summary of Provisions		
	Amends Section 75-7116			
177	HB 63	McKittrick	7/1/73	3/7/73
	Provides that no motor vehicle insurance policy may be cancelled nor may the premium of policies be increased due to injury or damage incurred by the insured or operator which is not the fault of said insured or operator.			
	Amends Section 53-438			
178	HB 100	Lynch	7/1/73	3/7/73
	Provides that the Montana Highway Patrol Board may issue a driver's license to persons having a history of epileptic seizures providing such persons can show through a written report from their attending physician that their condition has stabilized.			
	Amends Section 31-127			
179	HB 103	Swanberg	7/1/73	3/7/73
	Allows a refuse disposal district board to employ special legal counsel to defend any suits to which they are a party in the event a conflict of interest would prohibit such defense by the county attorney.			
	Amends Section 69-6013			
180	HB 113	Bardanouve	7/1/73	3/7/73
	Allows the Board of Land Commissioners to transfer funds between trust funds for purposes of developing lands within the trust; trust funds from which funds are transferred to be reimbursed.			
	Amends Section 81-2404			
181	HB 115	Lombardi	7/1/73	3/7/73

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Summary of Provisions

Amends Unemployment Compensation Law by providing a period of coverage and for election for coverage by exempt employers and political subdivisions; changes language to conform with executive reorganization; deletes language no longer applicable.

Amends Section 87-110

182	HB 116	Lockrem	7/1/73	3/7/73

Allows county treasurers actual travel expenses and per diem allowance for attendance at one annual meeting of the Montana Association of County Treasurers.

Amends Section 25-508

183	HB 129	Cox	7/1/73	3/7/73

Increases annual salary of court reporters from $9,200 to $12,500.

Amends Section 93-1906

184	HB 130	Zimmer	7/1/73	3/7/73

Gives the Attorney General, rather than the Commissioner of Insurance, appointment power for acting fire marshals; raises per diem compensation of special deputy state fire marshals from $20 to $40.

Amends Section 82-1208

185	HB 134	Greely	7/1/73	3/7/73

Allows a broker-dealer to receive a commission on an otherwise exempt transaction if the securities involved are registered with the U.S. Securities and Exchange Commission under the Federal Securities and Exchange Act of 1933, as amended.

Amends Section 15-2014

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186	HB 163	Greely	7/1/73	3/7/73
	Requires cities to remunerate an appointed counsel for his services in proceedings solely involving the violation of a city ordinance or state statute prosecuted in a municipal court.			
	Amends Section 95-1005			
187	HB 164	McKittrick	7/1/73	3/7/73
	Removes the requirement that a county auditor be a male person; makes county auditor an optional county office.			
	Amends Section 16-3203			
188	HB 180	Edland	7/1/73	3/7/73
	Abolishes the State Conservation Commission, formerly the Soil Conservation Committee.			
	Repeals Section 82A-1507			
189	HB 190	Gunderson	7/1/73	3/7/73
	Allows trustees of post-secondary vocational-technical centers to issue bonds on the credit of the school.			
	Amends Section 75-7103			
190	HB 218	Burnett	7/1/73	3/7/73
	Limits the lien on lands within a bonded irrigation district to eight years after maturity of the obligation.			
	Amends Section 89-1706			
191	HB 219	Haines	7/1/73	3/7/73
	Provides a time limitation within which actions for professional negligence can be commenced against			

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Summary of Provisions

nursing home administrators and long-term care facilities.

Amends Section 93-2624

192	HB 229	Cotton	7/1/73	3/7/73

Allows school buses to use studded tires from August 15 through the following June 15 of any year.

Amends Section 32-21-149

193	HB 235	Barrett	7/1/73	3/7/73

Allows several counties to maintain a common jail and prorate operating costs between counties; eliminates requirement of a jail in each county seat; eliminates limitation of $1000 which counties may spend on a common jail.

Enacts Section 16-2802.1
Amends Section 16-2803
Repeals Sections 16-2801, 16-2802

194	HB 239	Colberg	7/1/73	3/7/73

Removes the exemption of an owner of 100% mineral rights from the provisions of the Landowner Notification Act; requires that such persons receive the permission of the owner of surface rights before mining or prospecting operations may be commenced.

Amends Section 50-1305

195	HB 245	Johnston	7/1/73	3/7/73

Provides that any person who has obtained a mountain goat license and subsequently killed or taken a mountain goat may not be eligible to apply for another license for the next seven years.

Amends Section 26-202.2

Chapter No.	Bill No.	Chief Sponsor	Effective Date	Date Signed By Governor
		Summary of Provisions		
196	HB 252	Bradley	7/1/73	3/7/73
	Changes the name of the Montana Examining Board of Cosmetology to Board of Cosmetologists; changes the composition of board from three to five members. Amends Section 66-804 and renumbers same Section 82A-1602.8			
197	HB 267	Yardley	7/1/73	3/7/73
	Requires that complaints filed in eminent domain proceedings contain the names of all owners, mortgagees and lienholders of record, who must be styled defendants. Amends Section 93-9908			
198	HB 315	Kimble	7/1/73	3/7/73
	Deletes reference to state agencies which are authorized to administer federal Indian welfare funds. Repeals Section 79-1602			
199	HB 362	Marks	3/7/73	3/7/73
	Various amendments to the Volunteer Firemen's Compensation Act; changes composition of fund set aside for payment of pensions; raises minimum monthly pension payment; revises eligibility requirements. Amends Sections 11-2022, 11-2023			
200	HB 364	Bardanouve	3/7/73	3/7/73
	Establishes a procedure to be used by the Department of Revenue and claimants of gasoline license tax refunds to estimate amount of refund; prescribes records to be kept by claimants who do not elect to estimate amount of refund. Amends Section 84-1855			

Chapter No.	Bill No.	Chief Sponsor	Effective Date	Date Signed By Governor
		Summary of Provisions		
201	HB 484	Hager	7/1/73	3/7/73
	Deletes the requirement that lists of registered voters be posted at polling places ten days or more prior to elections. Amends Section 23-3023			
202	SB 123	McKeon	7/1/73	3/8/73
	Provides compensation formula within Workmen's Compensation Act for injuries producing total permanent disability. Enacts Section 92-702.1 Repeals Section 92-702			
203	SB 130	McKeon	7/1/73	3/8/73
	Provides compensation under Workmen's Compensation Act for injuries causing death. Enacts Section 92-704.1 Repeals Section 92-704			
204	SB 135	Keenan	7/1/73	3/8/73
	Provides for more than 26 weeks of temporary total disability workmen's compensation benefits in cases of permanent injury in nonscheduled injuries. Amends Section 92-709			
205	SB 137	Siderius	7/1/73	3/8/73
	Deletes restriction on payment of workmen's compensation benefits to major or minor dependents not residing in the United States at the time of the injury. Amends Section 92-708			
206	SB 174	Hazelbaker	7/1/73	3/8/73

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Requires persons licensed to act as a rating organization to pay an annual license fee of $100.

Amends Section 40-3649

207	SB 177	Bertsche	3/8/73	3/8/73

Abolishes the Liquor Control Board and transfers its functions to the Department of Revenue and Board of Equalization.

Enacts Sections 82A-1807, 82A-1808
Repeals Section 82A-1805

208	SB 211	James	3/8/73	3/8/73

Requires oil and gas well drillers to furnish cores and cuttings for core holes and tests less than 1000 feet in depth.

Amends Section 60-144

209	SB 230	Harrison	7/1/73	3/8/73

Requires the Department of Natural Resources and Conservation to inspect dams, dikes and reservoirs suspected of being in unsafe condition; extends jurisdiction of Department to dams or dikes which will impound or divert water and which have storage capacities of at least 50 acre feet or are at least 25 feet in height.

Amends Sections 89-702, 89-702.1

210	SB 242	McKeon	7/1/73	3/8/73

Requires that a defendant who has been acquitted in a criminal proceeding by reason of a mental disease be allowed a hearing within 50 days of his confinement in a state institution for the purpose of determining his mental condition and whether he may be discharged.

Amends Section 95-508

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		Summary of Provisions		
211	SB 259	Carl	3/8/73	3/8/73
	Transfers the functions of the State Building Code Council from the Department of Law Enforcement and Public Safety to the Department of Administration. Amends Sections 82A-202, 82A-1202			
212	SB 260	Education Committee	7/1/73	3/8/73
	Provides procedures whereby an elementary or high school may apply to have their schools classified as isolated by the Superintendent of Public Instruction; criteria for review by Superintendent of Public Instruction. Amends Section 75-6608			
213	SB 275	Flynn	3/8/73	3/8/73
	Allows members of the Board of Horse Racing to receive compensation of $25 per day plus actual and necessary expenses incurred in their official service. Amends Section 62-503			
214	SB 310	Harrison	3/8/73	3/8/73
	Deletes the mandatory public hearing from the requirements to receive a weather modification permit issued by the Department of Natural Resources and Conservation; authorizes the Department to assess the permit applicant for hearing costs. Amends Section 89-318			
215	SB 322	Bollinger	7/1/73	3/8/73
	Allows the county registrar 60 days, following each general election in which a president is elected, in which to survey all registry cards and remove the registry cards of all electors who have failed to vote.			

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Amends Section 23-3013

216	SB 325	Bollinger	3/8/73	3/8/73

Makes the use of proxies by county conventions of political parties permissive rather than mandatory.

Amends Section 23-3405

217	SB 337	McNamer	7/1/73	3/8/73

Includes coal in the list of minerals which an executor, administrator or guardian may lease for a ten-year period or as long thereafter as such minerals are produced in commercial quantities.

Amends Section 91-3108

218	SB 353	McKeon	7/1/73	3/8/73

Requires State Examiner to audit all school extra-curricular funds; deletes option of having audit by private qualified accountant.

Amends Section 75-6323

219	SB 368	Highway & Transportation Committee	7/1/73	3/8/73

Permits the Highway Patrol Board to cancel any operator's or chauffeur's license for cause.

Amends Section 31-142

220	SB 404	Bertsche	3/8/73	3/8/73

The Strip Mined Coal Conservation Act gives the Department of State Lands authority to review strip mining plans and either approve or disapprove such plans in order to prevent waste; board has authority to adopt rules to prevent waste of coal in strip mining operations; provides penalties for noncompliance. Section 4 is not effective until 3-8-74.

Chapter No.	Bill No.	Chief Sponsor	Effective Date	Date Signed By Governor
		Summary of Provisions		
221	SB 426	Bertche	7/1/73	3/8/73
	Authorizes all state agencies to give assistance to Indian tribal councils on any matter relating to coal development on Indian lands; agencies may recover costs for such assistance.			
222	SB 436	Turnage	7/1/73	3/8/73
	Allows voluntary first-party payment of personal injury or damage claims without such payment constituting an admission of liability; declares that the health, welfare and safety of the people of Montana would be enhanced by the expeditious handling of liability claims.			
223	SB 441	Turnage	7/1/73	3/8/73
	Revises requirements for proceedings in lieu of probate on estates of less than $10,000 by deleting residency requirements of the decedent and minority requirements for surviving children. Amends Sections 91-5301, 91-5304, 91-5305, 91-5308, 91-5310			
224	SB 456	Groff	7/1/73	3/8/73
	Provides that compensation for legislators when engaged in official business during an interim period is to be computed in quarters of days, per Section 59-539, R.C.M. 1947.			
225	HB 183	Marbut	7/1/73	3/8/73
	Abolishes the Occupation Health Advisory Committee.			
226	HB 191	Gunderson	7/1/73	3/8/73
	Provides additional measures for financing the construction of post-secondary vocational-technical centers within high school districts; high school districts may be required to furnish up to 50% of the cost of construction through the sale of bonds			

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Summary of Provisions

or other established finance sources.

Amends Section 75-7709

227	HB 261	Marbut	7/1/73	3/8/73

Provides for the screening of newborn infants to detect inborn metabolic errors; persons in charge of facilities wherein a child is born to administer tests under rules adopted by the Department of Health and Environmental Sciences; requires assistance on request from the Boulder River School and Hospital.

Repeals Section 69-4116

228	HB 263	Marbut	7/1/73	3/8/73

Requires all women seeking prenatel care to submit to a standard bolld test; provides procedures and duties of physicians and form for confidential report of test results; allows district courts to waive test on religious grounds.

Repeals Sections 69-4612, 69-4613, 69-4614, 69-4615

229	HB 271	Healy	3/8/73	3/8/73

Allows boards of county commissioners to appoint regular county officers or other qualified persons to be county rural fire chiefs; excludes fire companies and fire districts in unincorporated areas.

Amends Sections 28-602, 28-604

230	HB 312	Bardanouve	7/1/73	3/8/73

Transfers $129,069 from the public employees' retirement system account in the agency fund to the state game warden's retirement account in the agency fund.

231	HB 374	Schye	3/8/73	3/8/73

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Summary of Provisions

Requires that applications for temporary authority for service filed with the Public Service Commission have accompanying affidavits which specify in detail the reasons for supporting the application and the terms within which the temporary authority would be required.

Amends Section 8-131

232	HB 400	Mercer	3/8/73	3/8/73

Requires all Class A and Class B motor carriers to file reports with the Public Service Commission on or before the 31st day of March of each year.

Amends Section 8-118

233	HB 408	Lien	7/1/73	3/8/73

Exempts from provisions of the Motor Carrier Act any commercial transportation movement of livestock in any motor vehicle having a cargo bed of 22 feet in length or less.

Amends 8-101.2

234	HB 431	Greely	7/1/73	3/8/73

Extends the period during which an employee may recover penalties accruing from non-payment of wages from 6 to 18 months following default.

Amends Section 41-1304

235	HB 434	Glennen	3/8/73	3/8/73

Provides that, upon suspension of a motor carrier's proposed rate revision, such carriers must submit testimony and exhibits to support such revisions; allows interested persons 20 days after filing of proposed revisions to appear before the Public Service Commission; restricts suspension period to 180 days.

Amends Section 8-104.5

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		Summary of Provisions		
236	HB 472	Barrett	3/8/73	3/8/73
	Provides that the suspension of any motor carrier's intrastate operating authority for a period of 12 months shall be prima facie presumption of absence of public convenience and necessity; authorizes Public Service Commission to cancel certificates of public convenience and necessity after notice and hearing.			
	Enacts Section 8-107.2			
237	HB 491	Roberts	7/1/73	3/8/73
	Requires persons seeking nomination to public office whose names did not appear on the preceding election ballot to file certificates of nomination on or before the filing deadline for the primary election; persons desiring to run for president or vice-president must file certificates of nomination with the Secretary of State 90 days prior to the date of the general election.			
	Amends Section 23-3318			
238	SB 189	McKeon	7/1/73* *act expires 7/1/75	3/9/73
	Directs the Governor to evaluate the organization structure, management practices, and functions of executive agencies and report to each legislative session, including any recommendations for improvement.			
	Enacts Section 82-1315			
239	SB 213	James	7/1/73	3/9/73
	Provides legislative review of administrative rules; requires Secretary of State to submit rules adopted under the Montana Administrative Code to each legislature; legislature may repeal rules by joint resolution.			
	Enacts Section 82-4203.1			

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240	SB 218	Harrison	7/1/73	3/9/73

Increases all store license fees set in Title 84, Chapter 24 by $5.00; increase is credited to an earmarked revenue fund for administration of the Unfair Practices Act by the Department of Business Regulation.

Amends Sections 84-2402, 84-2404, 84-2405, 84-2407, 84-2410, 84-2412
Repeals Section 84-2406

241	SB 238	James	7/1/73	3/9/73

Deletes requirement that county treasurer maintain a duplicate set of school district accounting records; allows school districts the option of issuing warrants in a single copy with a detailed listing of warrants issued forwarded to the county treasurer.

Amends Sections 75-6809, 75-6810, 75-6811, 75-6812, 75-6805

242	SB 249	Flynn	7/1/73	3/9/73

Deletes requirement that licensed retail beer establishments close during general and primary election days.

Amends Section 4-303

243	SB 327	Bollinger	7/1/73	3/9/73

Requires the Board of Massage Examiners to convene following each appointment to the Board to elect a president, vice-president and secretary-treasurer from their membership.

Amends Section 66-2904

244	SB 351	Mathers	1/1/74	3/9/73

Prohibits the use of weighing devices in trade or commerce which are not licensed by the Department

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Summary of Provisions

of Business Regulation; sets schedule of license fees based on weight capacity in pounds.

Enacts Section 90-160.1

245	SB 359	Carl	3/9/73	3/9/73

States that the tendering of a contract to a parent or guardian by a school district whereby the district agrees to pay the parent or guardian for individually transporting pupils shall fulfill the district's responsibility to furnish transportation.

Amends Section 75-7008

246	SB 361	Highway and Transportation Committee	7/1/73	3/9/73

Makes it the duty of the State Treasurer to deposit into the State Highway Earmarked Revenue Account one-half of the moneys received as the state's share of gas and oil royalties under the Act of the Congress of the U.S. of February 25, 1920.

247	HB 174	Smith	7/1/73	3/9/73

Requires a livestock brand inspection before the change of ownership of six or more animals or their removal from a county; provides for a permanent horse transportation permit to be issued to the owner of saddle, work or show horses valid for both interstate and intrastate transportation of such horses until there is a change of ownership.

Amends Sections 46-801, 46-802, 46-803, 46-804

248	HB 262	Marbut	7/1/73	3/9/73

Adds test for rubella immunity to standard blood test given as a prerequisite to the issuance of a marriage license.

Amends Sections 48-134, 48-136, 48-137

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		Summary of Provisions		
249	HB 332	Ulmer	7/1/73	3/9/73
	Adopts specific provisions (Article VIII) of the Multistate Tax Compact relating to interstate audits. Amends Section 84-6701			
250	HB 459	Marks	3/9/73	3/9/73
	Changes the name of the Department of Law Enforcement and Public Safety to the Department of Justice. Amends Sections 82A-104, 82A-202, 82A-703, 82A-802, 82A-803, 82A-1201, 82A-1202, 82A-1203, 82A-1205, 82A-1602, 82A-1605 Enacts Section 82A-1209			
251	SB 125	Siderius	7/1/73	3/10/73
	Redefines "independent contractor" within the Workmen's Compensation Act. Enacts Section 92-438.1 Repeals Section 92-438			
252	SB 126	McKeon	7/1/73	3/10/73
	Revises provision of the Workmen's Compensation Act dealing with medical and hospital services to be furnished claimants by the insurer in addition to compensation. Enacts Section 92-706.1 Repeals Section 92-706			
253	SB 136	Siderius	7/1/73	3/10/73
	Establishes the Workmen's Compensation Administration Fund; authorizes expenditures from administration fund and sets forth what moneys are to be deposited into the fund. Enacts Section 92-116.1			

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		Summary of Provisions		
	Repeals Section 92-116			
254	SB 138	Siderius	7/1/73	3/10/73
	Establishes subsequent injury fund within the Workmen's Compensation Act for payment of benefits to vocationally handicapped persons. Enacts Section 92-709.1 Repeals Section 92-709A			
255	SB 192	Thiessen	7/1/73	3/10/73
	Prohibits nonaccredited school districts from receiving county equalization moneys. Amends Section 75-6915			
256	SB 200	Himsl	6/30/73	3/10/73
	Abolishes the Board of Trade and transfers its functions pertaining to the Unfair Practices Act (Title 51, Chapter 1) to the Department of Business Regulation. Amends Section 82A-404 Repeals Sections 27-301 through 27-317, 70-201 through 70-233, 82A-405			
257	SB 203	Lynch	7/1/73	3/10/73
	Allows the Registrar of Motor Vehicles to issue personalized license plates in lieu of regular license plates; applicant to indicate desired combination of letters or numbers to be imprinted on plates; additional fee of $20 imposed for personalized plates. Enacts Sections 53-148, 53-149, 53-150, 53-151, 53-152, 53-153			
258	SB 207	Carl	7/1/73	3/10/73

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Summary of Provisions

Adopts the Western Interstate Nuclear Compact. The ten articles agreed to by Montana as a member state are: Policy and purpose (I), the board (II), finances(III), advisory committees (IV), powers (V), mutual aid (VI), supplementary agreements (VII), other laws and regulations (VIII), eligible parties, entry into force and withdrawal (IX), severability and construction (X).

259	SB 274	Gilfeather	7/1/73	3/10/73

Allows election of school district trustees on a regular election day; allows write-in voting for trustee positions.

Amends Sections 75-5914, 75-5915

260	SB 304	Hazelbaker	7/1/73	3/10/73

Prohibits underwriters of motor vehicle liability insurance policies from attaching reduced limits endorsements to policies issued in Montana.

Amends Section 53-438

261	HB 82	Hager	7/1/73	3/10/73

Lowers the age requirements for receiving pioneer fishing and hunting licenses from age 65 to age 62.

Amends Section 26-202.1

262	HB 145	Baucus	7/1/73	3/10/73

Clarifies the process for negotiating disputed unemployment compensation claims; provides for appointment of an appeals referee to make findings and to agree or disagree with findings of the representative of the Unemployment Compensation Commission; provides for further appeal to the Board of Labor Appeals and judicial review.

Amends Section 87-107

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		Summary of Provisions		
263	HB 244	Lynch	7/1/73	3/10/73
	Exempts police pension payments from execution, garnishment, attachment, bankruptcy and insolvency; makes such payments unassignable.			
	Enacts Section 11-1821.1			
264	HB 253	Quilici	7/1/73	3/10/73
	Authorizes the Workmen's Compensation Division to extend the time limit for filing an injury claim by 24 months if it can be shown by the claimant that he was not aware of his disability.			
	Amends Section 92-601			
265	HB 288	Laas	7/1/73	3/10/73
	Deletes authority for county commissioners to contract with the federal government to construct roads without competitive bidding.			
	Repeals Section 32-2804			
266	HB 321	Lee	7/1/73	3/10/73
	Exempts freeport merchandise from taxation; defines freeport merchandise as manufactured outside the state and in transit through the state and consigned to a storage facility prior to shipment to a final destination outside the state.			
	Amends Sections 84-202, 84-301, 84-302			
267	HB 344	Towe	7/1/73	3/10/73
	Provides that the monthly compensation paid firemen retiring on or after 7/1/73 shall not be less than one-half the regular monthly salary paid to a confirmed active fireman of the same city.			
	Amends Sections 11-1925, 11-1926, 11-1927			

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268	HB 393	Brand	7/1/73	3/10/73

Increases the 90-day period which a temporary license to practice cosmetology is valid until the results of a subsequent examination are announced; increases the temporary cosmetology license fee from $2 to $4.

Amends Section 66-803

269	HB 397	Towe	3/10/73	3/10/73

Authorizes the State Treasurer to place securities in safe keeping with banks and to accept a safe keeping receipt in lieu of the actual securities.

Amends Section 79-201

270	HB 417	Lucas	7/1/73	3/10/73

Authorizes the Department of Fish and Game to establish checking stations where deemed necessary to inspect licenses of hunters and fishermen and to inspect any game animals or fish in their possession; failure to stop and report at a checking station constitutes a misdemeanor.

271	HB 426	Kendall	7/1/73	3/10/73

Authorizes the Highway Patrol Board to issue an instruction driver's permit to a student who is at least 14 1/2 years of age and who is successfully participating in an approved traffic education course.

Amends Section 31-129

272	HB 504	Lee	3/10/73	3/10/73

Increases the fee for issuance of an alcoholic beverages identification card from $.50 to $1.00.

Amends Section 4-510

273 ~~272~~	HB 540	Ainsworth	3/10/73	3/10/73

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Summary of Provisions

Provides for the establishment and operation of a joint city-county library; city-county library to be governed by a board of trustees of five members with terms not to exceed five years; powers and duties of joint library board are as specified in sections 44-213 through 44-225, R.C.M., 1947.

274	HB 365	Norman	7/1/73	3/14/73

Makes it unlawful for any beer wholesaler to give, sell, deliver or distribute any beer purchased or acquired by him to the public.

Amends Section 4-322

275	HB 54	Harper, R.	7/1/73	3/15/73

The Montana Unfair Trade Practices and Consumer Protection Act of 1973 declares unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce to be unlawful; designates the department of business regulation to make rules and regulations interpreting unfair trade practices; exempts actions under control of the Montana public service commission and all national advertising; provides procedures for the investigation of consumer complaints and makes it the duty of a county attorney to assist the department of business regulation on request in the prosecution of actions pursuant to the act; sets penalties for violation of act.

276	HB 246	Brand	7/1/73	3/15/73

Provides for the disposition of contributions made to fire department relief associations by unmarried members; contributions are payable to any beneficiary designated in writing by the member or, if the deceased member had not designated a beneficiary, contributions are payable to his estate.

277	HB 427	Zimmer	7/1/73	3/15/73

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Includes adopted children who have been defined as "hard to place" within the eligibility requirements for medical assistance; provides financial assistance to the adoptive parents of "hard to place" children in an amount not to exceed the cost of the care of the child in a foster home.

Amends Section 71-1516

278	SB 60	Groff	7/1/73	3/15/73

Requires that the Board of Natural Resources and Conservation obtain the approval of water project's water users' association before proceeding on capital improvements to the project in cases where the construction estimate is 5% or more above the original estimate; exempts capital improvements of an emergency nature necessary to protect life or property or to supply immediate needs for water.

Amends Section 89-105

279	SB 83	Lynch	7/1/73	3/15/73

Provides that each session of the legislative assembly shall meet at 12:00 noon on the 1st Monday of January of each year except when that date is January 1st, in which case they shall meet on the first Wednesday of January of each year; provides that legislature may meet at other times when convened by the governor or by a written request of a majority of the members or, when in session, by a recorded vote of a majority of the members.

Amends Section 43-205

280	SB 104	James	7/1/73	3/15/73

Provides that the trustees of a school district may accept or reject recommendations made by the district superintendent or school principals as to the employment or dismissal of a teacher, principal or other assistant.

Amends Section 75-5933

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281	SB 106	Groff	7/1/73	3/15/73

Authorizes payment out of high school and elementary school district retirement funds of employer contributions to any federal social security system.

Amends Section 75-7204

282	SB 131	Siderius	7/1/73	3/15/73

Specifies employments covered by the Workmen's Compensation Act as being all public employment and all private employment not expressly exempted by section 92-202.1 R.C.M., 1947; sets penalties for employers failing to become covered under act at $100-$600 fine or imprisonment in the county jail for not more than six months, or both fine and imprisonment.

Enacts Section 92-207.1
Repeals Section 92-207

283	SB 147	Carl	7/1/73	3/15/73

Amends definition of resident within the Fish and Game Act to eliminate the requirement that a resident be a United States citizen.

Amends Section 26-202.3

284	SB 235	Groff	7/1/73	3/15/73

Allows redemption of county, city, town or school district bond issues on any interest payment date after one-half of the term for which the bonds were issued has expired.

Amends Sections 11-2304, 16-2011, 75-7107

285	SB 290	Moore	7/1/73	3/15/73

Changes name of the Board of Chiropodists to the State Board of Podiatry Examiners; changes name of

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the Board of Medical Doctors to the Montana State Board of Medical Examiners.

Amends Section 82A-1602

286	SB 309	McDonald	7/1/73	3/15/73

Repeals the "oleomargarine law" and other statutory references to oleomargarine.

Repeals Sections 3-24-125, 27-501, 27-502, 27-503, 27-505, 27-507 through 27-523

287	SB 341	McNamer	7/1/73	3/15/73

Requires justices of the peace to remit to the county treasurer all fees as set forth in section 25-310 R.C.M., 1947, but allowing justices to retain the miscellaneous fees provided for in Section 25-304 R.C.M., 1947.

Enacts Section 25-311

288	SB 349	Harrison	7/1/73	3/15/73

Changes the words "chiropodist (s)" and "chiropody" to "podiatrist (s)" and "podiatry"; changes composition of examining board from two chiropodists to three podiatrists.

Amends Section 66-603

289	SB 356	McNamer	7/1/73	3/15/73

Sets fees for justices of the peace in criminal actions; $7.50 fee for services where there is a plea of guilty or forfeiture of bond and $15.00 for all services in cases where there is a trial.

Enacts Section 25-310

290	SB 365	Highways & Transportation Committee	7/1/73	3/15/73

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		Provisions of Summary		
		Allows the Department of Highways to increase the expenditures made in any highway financial district up to 25% more than the amount of money allocated to such district in the latest year for the federal-aid primary system or the federal-aid secondary system. Amends Section 32-2610		
291	SB 370	Highways & Transporation Committee	7/1/73	3/15/73
		Defines "bus" and "motorcycle" within the Driver Licensing Act. Amends Section 31-119		
292	SB 408	McDonald	7/1/73	3/15/73
		Changes the declaration of state policy in regard to reporting cases of child neglect or abuse; provides that reports of child neglect are to be made to the Department of Social and Rehabilitation Services, its local affiliate and the county attorney; expands the persons required to report cases of child englect or abuse to include physicians, nurses, teachers, social workers, attorneys, law enforcement officers, or other persons having reason to believe a child has been abused or neglected; changes the definition by including physical abuse, sexual and psychological abuse. Amends Sections 10-901, 10-902, 10-903		
293	SB 437	McDonald	7/1/73	3/15/73
		Requires county commissioners to give notice of the passage of a resolution to create a refuse disposal district; provides procedures for giving notice. Amends Sections 69-6004, 69-6005, 69-6006		
294	SB 445	Darrow	7/1/73	3/15/73

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Revises floodway management act to include definition of "a flood of 100 year frequency" as a flood magnitude expected to recur on the average of once every 100 years, or a flood magnitude which has a 1% chance of occurring in any given year.

Amends Sections 89-3503 through 89-3506, 89-3508

295	SB 237	Groff	7/1/73	3/15/73

Authorizes the Department of Revenue to investigate matters relating to public welfare payments upon request by the Department of Social and Rehabilitation Services; Department of Revenue authorized to institute civil or criminal actions to enforce welfare laws and violations thereof; requires all other state agencies to make information available to Department of Revenue for their investigation.

296	SB 250	Flynn	7/1/73	3/15/73

Deletes requirement that licensed liquor stores close during general or primary election days.

Amends Section 4-414

297	HB 13	Shelden (by request)	7/1/73	3/15/73

(constitutional implementation) Creates office of Lieutenant Governor; prescribes powers duties; provides an annual salary of $18,500 for the Lieutenant Governor; deletes references to the Lieutenant Governor as President of the Senate.

Amends Sections 25-501, 82-1703
Repeals Sections 82-1701, 82-1702, 94-5418

298	HB 18	Shelden (by request)	7/1/73	3/15/73

(constitutional implementation) General revision

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of laws relating to the investment of public funds (Title 79, Chapter 3); new material provides a unified investment program for public funds by allowing all state funds to be invested in the securities enumerated in Section 7 of the act.

Amends Sections 79-301, 79-306, 79-601, 79-1215
Repeals Sections 79-1201 through 79-1211, 79-1213, 79-1214, 79-1216, 81-1001 through 81-1008

299	HB 60	Lynch	7/1/73	3/15/73

Renders unenforceable all liens on the real property of recipients of public assistance held by the Department of Social and Rehabilitation Services; abolishes power of state Department of Social and Rehabilitation Services and county welfare departments to secure liens against all real property of applicants for assistance.

Amends Section 71-247
Repeals Sections 71-241, 71-243, 71-244, 71-245, 71-246, 71-248, 71-249

300	HB 61	McKittrick	7/1/73	3/15/73

Increases the value of land selected and claimed for homesteads from $7500 to $20,000.

Amends Section 33-124

301	HB 84	Lockrem	3/15/73	3/15/73

Increases the fees for the issuance and renewal of a certificate to practice barbering from $5.00 to $10.00; increases the annual license fee for barber shops from $5.00 to $10.00.

Amends Section 66-411

302	HB 85	Lockrem	7/1/73	3/15/73

Increases the compensation of members of the Board of Barbers while inspecting barber shops from $25 to

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$30 per day.

Amends Section 66-408

303	HB 99	Ulmer	7/1/73	3/15/73

Prohibits the cancellation or increase in premium rates on professional liability policies issued to nursing home administrators or long-term care facilities by reason of unfounded claims having been filed against such insureds.

Amends Sections 40-4413, 40-4414

304	HB 110	Quilici	7/1/73	3/15/73

Provides that the plaintiff in an open pit mining eminent domain action must agree to purchase at market value all property within 300 yards of the condemned tract; compensation for a building owned by the city, county or state is to be computed as the value of the cost of replacing the building in a similar area not affected by open pit mining operations.

Amends Sections 50-813, 50-815, 50-816

305	HB 126	Kvaalen	7/1/73	3/15/73

Prohibits hunters from using a motor-driven vehicle on other than established roads or trails, except in cases where a slain animal cannot otherwise be easily retrieved.

Amends Section 26-301

306	HB 143	Harper, R.	7/1/73	3/15/73

Requires the county commissioners to set the salaries of elected county officials by resolution on or before July 1 of each year; the salary schedule used for each office shall be the statutory schedule in effect on the first day of the following fiscal year.

Repeals Section 25-609

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307	HB 167	Regan	7/1/73	3/15/73

Deletes the maximum annual amount of $24,000 which may be deducted from traffic education account proceeds for state administration purposes.

Amends Section 75-7906

308	HB 168	Edland	7/1/73	3/15/73

Deletes the maximum amount for threshermen's liens filed upon grain or other crops and bases such liens instead on the prevailing price for services in the particular locality; if the prevailing price of the service is disputed by either party to the lien, the matter may be submitted to arbitration under the provisions of Title 93, Chapter 201.

Amends Sections 45-801, 45-802

309	HB 196	Turman	7/1/73	3/15/73

Permits boards of county commissioners to hire administrative assistants to assist them in the performance of their duties; each board may adopt a resolution defining the qualifications, duties, salary and responsibilities of such administrative assistants.

Amends Section 16-2409

310	HB 204	McKittrick	7/1/73	3/15/73

Extends the maximum period during which a 2,000 hour cosmetology course may be studied from 12 months to 14 months; deletes reference to the $2 temporary cosmetology license fee.

Amends Section 66-803

311	HB 238	Colburg	7/1/73	3/15/73

Declares that the extraction of coal by strip or open pit mining is not a public use and is therefore not subject to the provisions of eminent domain; provides new public policy for extraction of coal by

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strip or open pit mining.

Amends Section 93-9902
Enacts Section 93-9902.1

312	HB 249	Fagg	7/1/73	3/15/73

Deletes the maximum number of contiguous mining claims which may be grouped for purposes of performing assessment work on one point within said group.

Amends Section 50-704

313	HB 277	Towe	7/1/73	3/15/73

Defines "juvenile facility of the department (of institutions)" as any facility under the supervision and control of the Montana State Department of Institutions, whose primary function is the care, training custody and control of children and specifically includes the Pine Hills School for Boys, the Mountain View School for Girls, the Montana Children's Center, Boulder River School and Hospital, the Swan River Youth Forest Camp and Eastmont Training Center.

Amends Section 80-2211

314	HB 296	McKittrick	7/1/73	3/15/73

Increases the minimum monthly wage of police in first and second class cities from $525 to $600 effective after July 1, 1973.

Amends Section 11-1832

315	HB 329	Laas	7/1/73	3/15/73

Increases the privilege and license tax on the per-barrel production of oil and gas; provides fee and permit for the drilling of stratigraphic test wells or core holes in addition to privilege and license tax.

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		Summary of Provisions		
	Amends Section 60-145			
316	HB 346	Hall	7/1/73	3/15/73
	Requires the clerk of the district court in each county to remit estimated inheritance tax collections to the State Department of Revenue instead of to the county treasurer.			
	Amends Section 91-4418			
317	HB 352	Hall	7/1/73	3/15/73
	Allows exemption from inheritance tax of $5000 to be transferred to "minor adopted and mutually acknowledged children"; allows widowers the same inheritance exemption as widows.			
	Amends Section 91-4414			
318	HB 402	Greely	7/1/73	3/15/73
	Permits newsmen or others connected with newspaper, radio or television news services to refuse to disclose their news sources.			
	Amends Section 93-701-4			
319	HB 404	Driscoll	3/15/73	3/15/73
	Prohibits the sale of unstamped cigarettes by a Montana dealer to a dealer who is not licensed by the state in which said dealer is doing business.			
	Amends Section 84-5606.9			
320	HB 420	Tierney	Effective for taxable years ending on and after December 31, 1972	3/15/73
	Provides that income tax deductions for depreciation and obsolescence shall in all cases be determined			

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according to the provisions of the federal internal revenue code in effect for the taxable year.

Amends Section 84-1502

321	HB 455	Gerke	7/1/73	3/15/73

Provides that moneys paid into a revolving fund for the purpose of financing administrative operations shall be paid out of the treasury only by appropriation; provides that moneys deposited in a revolving fund for the purchase of assets may be expended according to an annual financial plan approved by the Department of Administration.

Amends Sections 79-410, 79-415

322	HB 543	Ulmer	7/1/73	3/15/73

Authorizes the Department of Social and Rehabilitation Services to purchase, by contract, vocational rehabilitation services for handicapped persons; payments for such services to be approved by the Department of Administration and subject to post audit review by the State Auditor.

323	HB 548	Bardanouve	7/1/73	3/15/73

Codification and general revision of the laws relating to the Public Employees' Retirement System.

Enacts Sections 68-1501 through 68-1503, 68-1601 through 68-1605.1, 68-1606 through 68-1608, 68-1701 through 68-1704, 68-1801 through 68-1804, 68-1901 through 68-1907, 68-2001 through 68-2005, 68-2101 through 68-2104, 68-2201 through 68-2204, 68-2301 through 68-2305, 68-2401, 68-2402, 68-2501 through 68-2514
Repeals Sections 68-101, 68-102, 68-201, 68-202, 68-203, 68-301, 68-302, 68-303, 68-401 through 68-405, 68-501, 68-601, 68-602, 68-603, 68-701 through 68-710, 68-801, 68-802, 68-901, 68-902, 68-1001 through 68-1005, 68-1101, 68-1201 and 68-1301 through 68-1320

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324	HB 549	Menahan	7/1/73	3/15/73

Requires school district trustees to give written notice to all nontenure teachers who have been reelected by the first day of April of each year; nontenure teachers receiving such notices are to provide written acceptance within 20 days after receipt of notice; provisions do not apply in cases where nontenure teachers are terminated due to financial condition of district.

325	SB 94	Bertsche	3/16/73	3/16/73

The Montana Strip Mining and Reclamation Act provides for the state control of the prospecting for and strip mining of coal, clay, phosphate rock, and uranium; provides for the issuance of permits and the submission of reclamation and operational plans under the administration of the department of state lands; provides civil and criminal penalties for noncompliance with act; cancels all contracts entered into by the state pursuant to Chapter 245, Laws of Montana, 1967.

Repeals Sections 50-1018 through 50-1033

326	SB 443	McGowan	3/16/73	3/16/73

The Open Cut Mining Act provides for the reclamation and conservation of land subject to open cut mining of bentonite, sand or gravel; requires reclamation bonded contracts for operations which will result in the removal of 10,000 yards or more of overburden or product; provides for enforcement of act by state board of land commissioners.

Repeals Sections 50-1018 through 50-1033

327	HB 127	Bardanouve	3/16/73	3/16/73

Montana Utility Siting Act of 1973; vests in the Department and Board of Natural Resources and Conservation the authority to require and review long-range planning by certain utilities, to give approval to energy generation and conversion plant sites and associated facilities, and to require preconstruction certification of such facilities;

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provides penalties for violation of act.

328	HB 142	Fasbender	7/1/73	3/16/73

Provides for the election of three additional school district trustees in certain elementary school districts where a high school is not located and one additional trustee to be elected at large in certain high school districts. Reinstates language in effect prior to the 1971 codification and general revision of Title 75.

Amends Section 75-5903

329	HB 144	Lynch	7/1/73	3/16/73

Provides that a deputy sheriff of a first or second class county shall not be forced to work over 40 hours per week, except in case of an emergency and shall also be entitled to two days off in each seven day period.

Enacts Section 16-3705.1

330	SB 62	McKeon	7/1/73	3/17/73

Requires license fee for conducting any advanced barber training program, clinic or seminar; provides annual license fee of $50, or a 10-day license fee of $15.

Amends Section 66-411

331	SB 132	Keenan	7/1/73	3/17/73

Revises definition of "beneficiary" in the Workmen's Compensation Act by changing the maximum age of an unmarried surviving child who is a full-time student at an accredited school from age 21 to age 22.

Amends Section 92-413

332	SB 133	Siderius	7/1/73	3/17/73

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Provides that all employees of the Workmen's Compensation Division, except the Administrator, are included within the Joint Merit System if such inclusion is required for the receipt of federal funds by 29 CFR 1902.3 (h), or by any other federal law or regulation.

Enacts Section 92-121

333	SB 159	McKeon	7/1/73	3/17/73

Provides that members of police departments in 1st and 2nd class cities, except those officers holding the rank of captain or above, are entitled to compensation for overtime at time and one-half pay.

Amends Section 11-1832.2

334	SB 190	Hazelbaker	7/1/73	3/17/73

Provides schedule of fees for the filing of certain policy forms and related papers with the State Insurance Commissioner.

Amends Section 40-2726

335	SB 194	Himsl	7/1/73	3/17/73

Deletes requirement that certain medical care facilities register themselves annually with the State Department of Health and Environmental Sciences.

Repeals Section 69-5219.1

336	SB 195	Himsl	7/1/73	3/17/73

Defines "hospital facilities" in public hospital districts as a hospital or a hospital-related facility, including out-patient facilities, public health centers, rehabilitation facilities, long-term care facilities and infirmaries.

To be added to Chapter 43, Title 16

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		Summary of Provisions		
337	SB 276	Goodheart	3/17/73	3/17/73
	Relates to Mosquito Abatement District procedures; defines persons qualified to petition for and provides percentages of petitioners necessary for creating, stopping procedures, or dissolving a mosquito abatement district. Amends Sections 16-4201, 16-4203 through 16-4207, 16-4209, 16-4211			
338	SB 362	Highways and Transportation Committee	7/1/73	3/17/73
	Provides for the allocation of gas tax funds to counties and incorporated cities and towns for construction, reconstruction, repairs and maintenance of roads, streets and alleys. Amends Section 84-1840			
339	SB 380	Lynch	3/17/73	3/17/73
	Provides that the submission of a Class C motor carrier application must be accompanied by the names and addresses of any legal entity with whom the applicant has executed a contract for the distribution, delivery or collection of merchandise or the transportation of persons; such contracts to be in writing, executed by the parties and submitted to the Public Service Commission; contracting parties must appear and offer testimony in support of the applicant. Amends Section 8-111			
340	SB 389	Bollinger	7/1/73	3/17/73
	Provides for a minimum number of deputy election registrars to be appointed in each county, equally divided between the two major political parties; provides for instruction of deputy registrars; provides that registration cards properly executed by a deputy registrar prior to the registration deadline may be accepted by the registrar for three			

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days after the deadline.

Amends Section 23-3003

341	SB 435	Carl	3/17/73	3/17/73

Relates to the standard valuation law in life insurance; provides for the adoption of annuity mortality tables and permissible interest rates in valuation of annuity and insurance contracts.

Amends Sections 40-3011, 40-3831

342	SB 442	Gilfeather	3/17/73	3/17/73

Relates to the conduct of business of cooperative associations; provides precedures for holding regular, special and annual meetings; provides for procedures of notice and disposition of assets upon merger or consolidation.

Amends Sections 14-203, 14-216
Repeals Sections 14-217, 14-218, 14-220

343	HB 5	Gerke (by request)	7/1/73	3/17/73

(constitutional implementation) Provides procedures for determining the permanent disability of executive officers; provides means of determining who shall make and transmit declaration to legislature as to an executive officer's inability to perform the functions of his office and for subsequent action by the legislature.

344	HB 21	Ainsworth (by request)	7/1/73	3/17/73

(constitutional implementation) Creates Board of Public Education and Board of Regents, each consisting of seven members appointed by the Governor and confirmed by the Senate; provides qualifications for appointees and for filling of vacancies; creates office of Commissioner of Education, such officer to serve as Secretary to the Board of Regents; sets

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compensation of both boards at $25 per day plus actual expenses; both boards meeting together comprise the tate oard of ducation, responsible for long-range planning, and for coordinating and evaluating policies and programs for state public educational systems; combined board to review and unify budget requests of educational entities.

Amends Sections 79-2002, 82-401
Repeals Sections 75-5601 through 75-5606, 75-5608

345	HB 125	Warfield	7/1/73	3/17/73

Authorizes elementary school district trustees to establish a program for five-year-olds as part of the elementary school; provides that such programs may be funded through the state foundation program; provides a funding base for the first year of such programs.

Amends Sections 75-6902, 75-6903, 75-6917, 75-7507

346	HB 197	Stoltz	7/1/73	3/17/73

Provides that if a school district receives more state equalization aid than it is entitled to, the county treasurer must return the overpayment to the state upon the request of the Superintendent of Public Instruction in the manner prescribed by the municipal division of the Department of Intergovernmental Relations.

Amends Section 75-6917

347	HB 199	Lucas	7/1/73	3/17/73

Permits the consolidation of police departments and sheriffs' offices within a county into a Department of Public Safety; permitted in other than first and second class counties only; provides salaries for the employees of the consolidated offices.

348	HB 270	Swanberg	7/1/73	3/17/73

Allows justice and police courts to suspend the execution of a sentence up to the maximum sentence

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allowed for a particular offense; provides that if alcohol or other drugs are involved, the court may impose such rehabilitative measures as it deems advisable.

Amends Section 95-2007

349	HB 275	Flynn	7/1/73	3/17/73

Provides that at least one member of any county planning board existing at or formed after 7/1/73 shall be a member of the governing board of a conservation district or a state cooperative grazing district, if officers of either district reside in the county; provides that county commissioners must appoint members to city-county planning boards who reside outside of city limits.

Amends Sections 11-3803, 11-3810

350	HB 301	Marbut	7/1/73	3/17/73

Defines "community residential facility" as a group, foster, or other home specifically provided as a place of residence for developmentally disabled or handicapped persons who do not require nursing care; provides that such community residential facilities serving eight or fewer persons is to be considered a residential use of property for zoning purposes.

351	HB 313	Zimmer	7/1/73	3/17/73

Requires the State Fire Marshal to investigate the exact cause of fires damaging property; requires insurance companies to notify the Fire Marshal of the cause and circumstances of fires in which insured property was destroyed; requires persons responsible for fire investigations to file weekly reports with the Fire Marshal.

Amends Section 82-1209

352	HB 349	Zimmer	7/1/73	3/17/73

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Deletes requirements for the inspection and licensing of explosives factories and storage places; deletes prohibition against the storage of kerosene, petroleum or caps in unincorporated towns; deletes prohibition against the disposal of explosive materials after dark by the aid of artificial light.

Repeals Sections 69-1910, 69-1911, 69-1930

353	HB 403	Greely	3/17/73	3/17/73

Creates a training coordinator for county attorneys within the Department of Justice who is appointed by the attorney general from a list of three names proposed by the Montana County Attorneys Association; provides duties and functions to be assigned to the training coordinator.

354	HB 422	Shelden	7/1/73	3/17/73

Allows the governing body of a city or town to extend the application of its zoning regulations beyond its corporate limits in cases where a city-county planning board exists whose jurisdictional area includes the area to be regulated.

Amends Section 11-2702

355	HB 428	Yardley	7/1/73	3/17/73

Provides for mandatory basic county levy for support of public schools; provides for state assumption of deficiency levy in funding foundation program through state-wide levy; provides for state assumption of part of district permissive levy through state-wide levy; provides for a limitation on increase in district general fund budget from year to year.

Amends Sections 75-6912, 75-6913, 75-6916, 75-6921, 75-6922, 75-6923

356	HB 468	Gunderson	1/1/74	3/17/73

Authorizes the Department of Agriculture to regulate the manufacture, distribution and use of commercial

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feeds; requires the registration with fee of commercial feed products and distribution facilities; sets inspection fees and establishes method of collection.

Repeals Sections 3-2012 through 3-2024

357	HB 502	Kimble	7/1/73	3/17/73

Declares the legislature's intent that an institution of the Montana University System is obligated to respect a student's right of privacy; prohibits an official of the university from entering the room of a student unless he has given the student advanced notice in writing; provides that a student shall have the right to examine reports of academic or disciplinary nature which may have been compiled on him or her.

358	HB 571	Bardanouve	7/1/73	3/17/73

Changes language in the first chapter of the Executive Reorganization Act of 1971 relating to mechanical details which were temporary in nature; revises provisions of the act to conform with new Montana Constitution.

Amends Sections 82A-101 through 82A-112, 82A-115 through 82A-122
Repeals Sections 82A-113, 82A-114, 82A-123

359	HB 25	Ainsworth (by request)	7/1/73	3/19/73

(constitutional implementation) Allows the qualified electors of any city or town to adopt a "strong mayor" form of municipal government; provides that electors may cause an ordinance to be adopted vesting any or all the powers enumerated with the office of mayor; powers enumerated include appointment and removal power over all nonelective municipal officers and absolute control over the preparation of the annual budget.

Enacts Section 11-802.1

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360	HB 69	Brand	7/1/73	3/19/73

Makes it unlawful for an employer in state, county, or municipal government to terminate an employee from his employment in an attempt to circumvent the annual vacation leave laws.

Amends Section 59-1001

361	HB 96	Edland	7/1/73	3/19/73

Exempts all unprocessed, perishable fruits and vegetables in farm storage and owned by the producer from property taxation.

Amends Sections 84-202, 84-301

362	HB 171	Menahan	3/19/73	3/19/73

Provides school district trustees with an alternative method of letting school bus transportation contracts; allows trustees to negotiate a new contract with the current school bus contractor provided the negotiated contract costs do not exceed the costs of the previous year's contract by more than 5% for the same contract period; requires contract to be entered into only at a public meeting for which notice has been given as provided in the act.

Amends Section 75-7013

363	HB 279	Hall	1/1/74	3/19/73

Provides that employees' minimum wage shall be exclusive of any gratuities; authorizes the Commissioner of Labor to enforce the Minimum Wage Act without the necessity of a wage assignment.

364	HB 286	Huennekens	7/1/73	3/19/73

Deletes requirements as to locations to be used by the Department of Fish and Game for the drawing of special elk permits; provides that the procedures used for awarding the permits from the drawing system shall be determined by the state Fish and Game Commission.

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Amends Section 26-104

365	HB 309	Warfield	7/1/73	3/19/73

Allows school districts to stop payment on warrants after one year from the date of their issue; deletes the requirement that the district obtain an indemnity bond before issuing a duplicate warrant.

366	HB 310	Warfield	7/1/73	3/19/73

Deletes the requirement that school ditricts obtain claims signed by the vendor prior to making expenditures so long as the vendor or payee provides the district with an invoice or other document identifying the quantity and total cost per item included on the invoice.

Amends Section 75-6806

367	HB 314	Ulmer	7/1/73	3/19/73

Provides that any corporation required to file a corporate income tax return, whose only activity in Montana consists of sales and whose gross volume of sales does not exceed $100,000 may elect to pay a tax of one-half of one percent of gross sales in lieu of the corporate income tax otherwise imposed.

Amends Section 84-6903

368	HB 335	Aageson	7/1/73	3/19/73

Broadens the scope of weather modification by authorizing the Department of Natural Resources and Conservation to conduct more extensive reasearch and development of weather modification.

Amends Sections 89-310, 89-312, 89-314, 89-318

369	HB 358	Lynch	7/1/73	3/19/73

Revises the previous exemption of retired persons

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from unemployment benefits by allowing modified benefits when such retired persons receive retirement compensation which when prorated on a weekly basis does not exceed the average weekly benefit amount paid during the last fiscal year.

Amends Section 87-106

370	HB 375	Fasbender	7/1/73	3/19/73

Repeals tax on the production of carbon black.

Repeals Sections 84-1001 through 84-1010

371	HB 392	Lynch	3/19/73	3/19/73

Directs the Board of Land Commissioners to reconvey to the city of Butte certain land in the city of Butte which was purchased by the state on October 2, 1959; consideration for the reconveyance is to be $1.00.

372	HB 407	Swanberg	act applies to taxable years beginning 1/1/73	3/19/73

Adopts the federal income tax taxable year used by corporations as the taxable period for Montana corporation income tax purposes; provides for one signature on corporate tax returns instead of two; provides definitions of terms "doing business" and "engaging in business"; clarifies the terms "gross income and "net income."

Amends Section 84-1504

373	HB 423	Towe	7/1/73	3/19/73

Provides for nonprofit organizations to establish community homes for the developmentally disabled; authorizes the Department of Institutions to make rules and regulations for the operation of such community homes; authorizes the Department of Health and Environmental Sciences to make rules and

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regulations for the licensing of such community homes.

374	HB 440	Lee	7/1/73	3/19/73

Changes composition of the Board of Electricians; board consists of five members, appointed by the Governor, with the consent of the Senate; one member is to represent the public, and other four members are to be selected from three names submitted by each of four groups: (1) consumer members of rural electric cooperatives, (2) master licensed electrical contractors, (3) licensed journeyman electricians, (4) investor-owned electric utilities; board members to receive compensation for each day served at $25.

Amends Section 66-2804

375	HB 444	Swanberg	7/1/73	3/19/73

Includes services within the definition of public labor for which contractors are to give employment preference to bona fide Montana residents.

Amends Section 41-701

376	HB 471	Lucas	7/1/73	3/19/73

Provides that the term "of unsound mind" is to include other like terms appearing in the Revised Codes of Montana, 1947; examples given include terms such as "incompetent", "(with a) mental disease or defect", "insane", "feeble-minded", etc..

377	HB 488	Brand	7/1/73	3/19/73

Provides that before the Railroad Commission may approve the closure of a railroad station or facility, it must require from the railroad an agreement to protect employees affected by the closure by providing jobs equal in nature and pay to the job held by the employee for the six months prior to such closure.

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378	SB 41	James	7/1/73	3/20/73

Establishes the grass known as Bluebunch Wheatgrass as the official grass of the State of Montana.

Enacts Section 19-124

379	SB 44	Carl	7/1/73	3/20/73

Provides that the State Grain Laboratory at Great Falls is the only laboratory authorized to test public warehouse grain for protein content; provides that the fee charged for such testing on appeal by either party be commensurate with testing costs.

Amends Section 3-512

380	SB 103	Groff	7/1/73	3/20/73

are authorized to purchase insurance within limits of act,"

Montana Comprehensive State Insurance Plan and Tort Claims Act mandates the Department of Administration to provide a comprehensive insurance plan for the state, ~~and~~ all other governmental entities, coverage for casualty and liability policies is to be up to a limit of $1 million in any one occurence; Department of Administration may utilize a deductible insurance plan of not more than $25,000 deductible; local government entities are authorized to levy a special tax to pay their prorated share of insurance premiums on the state insurance plan; provides procedures for filing claims against the state and/or political subdivisions; abolishes sovereign immunity.

381	SB 134	Siderius	1/1/74	3/20/73

Lowers the noise intensity level for purposes of determining occupational deafness under the Workmen's Compensation Act from 100 decibels to 90 decibels.

Amends Section 92-710

382	SB 245	McDonald	7/1/73	3/20/73

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Summary of Provisions

Authorizes the epartment of ivestock, imal ealth ivision, to license and regulate milk plants and dairies; provides license fees of $50 for milk plants and $5 for dairies.

Amends Section 46-232

383	SB 292	Zody	7/1/73	3/20/73

Authorizes the Department of Health and Environmental Sciences to adopt rules for constructing and operating trailercourts to insure sanitation and protect public health; raises annual license fee for tourist campgrounds and trailer courts from $5 to $10.

Amends Sections 69-5601 through 69-5605, 69-5607

384	SB 306	Darrow	7/1/73	3/20/73

Increases the size of the Board of Natural Resources and Conservation from five to seven members; the additional two members are to be members at large.

Amends Section 82A-1509

385	SB 336	Graham	7/1/73	3/20/73

Provides that the prices paid for state newspaper publications shall not exceed the minimum going rate charged any other advertiser for the same publication, set in the same sized type and published for the same number of insertions.

Amends Section 82-1149

386	SB 371	Highways and Transportation Committee	7/1/73	3/20/73

Requires courts to forward all operator's or chauffeur's licenses collected by them as a result of a conviction to the Highway Patrol Board within five days.

Amends Section 31-145

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387	SB 386	Northey	3/20/73	3/20/73

Requires slow-moving motor vehicles, behind which four or more vehicles are formed in a line, to turn off the roadway at the nearest turnout point to allow the vehicles following them to proceed; authorizes the Department of Highways to construct turnout areas at appropriate places.

Amends Section 32-2147

388	SB 393	McKeon	7/1/73	3/20/73

Provides that when any office becomes vacant, and no statutory method for filling the vacancy is available, the governor shall appoint a qualified person to fill the unexpired term of the person whose office has become vacant; authorizes the Governor to appoint de jure officers before their confirmation by either house of the legislature.

Amends Section 59-605
Repeals Section 59-606

389	SB 403	McNamer	7/1/73	3/20/73

Uniform Management of Institutional Funds Act, a model act to establish guidelines for the management and use of investments held by educational, religious, charitable and other eleemosynary organizations.

390	SB 407	McDonald	7/1/73	3/20/73

Sets standards for the certification and labeling of agricultural, vegetable, flower and weed seeds; defines "certifying agency" and "protected variety"; provides for the testing of seed samples and prohibitions against the sale or transportation of certain seeds.

Amends Sections 3-802.1, 3-802.2, 3-804, 3-807, 3-808, 3-810 through 3-814, 3-820
Repeals Section 3-806
Enacts Section 3-806.1

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391	HB 17	Shelden (by request)	7/1/73	3/20/73

(constitutional implementation) Provides a general revision of the tax laws of Montana to implement Article VIII, Sections 3&7 of the 1972 Montana Constitution; designates the State Department of Revenue as the tax administration agency for the state; replaces the State Board of Equalization with a State Tax Appeal Board; designates county assessors as agents of the State Department of Revenue; provides for county tax appeal boards. (For Title 84, see Chapter No. 405)

Enacts Section 82A-1008
Repeals Sections 16-1016, 16-3703, 91-4466
Amends Sections 4-354, 7-122, 15-2285, 15-22-112, 16-910, 16-2010, 16-3706, 16-3912, 16-3916, 25-605, 25-609, 32-2607, 32-3804, 50-1032, 50-1220, 51-303, 53-703, 53-1013, 53-1025, 59-1109, 59-1110, 66-223, 66-227, 67-2211, 67-2212, 67-2213, 67-2214, 67-2215, 67-2216, 67-2217, 67-2218, 67-2219, 67-2220, 67-2221, 67-2222, 67-2223, 67-2224, 67-2225, 67-2226, 67-2317, 67-2318, 67-2340, 67-2342, 69-3502, 69-3504, 69-3504.1, 69-3923, 69-6007, 71-236, 75-6410.1, 75-6711, 81-928, 81-930, 81-1115, 81-1116, 81-1117, 81-1118, 82-1501, 82-1506, 82-1512, 82-1925.1, 82A-1801, 82A-1803, 82A-1804, 82A-1808, 89-1812, 89-2401, 91-502, 91-504, 91-505, 91-506, 91-507, 91-508, 91-509, 91-523, 91-4321, 91-4414.1, 91-4415, 91-4418, 91-4419, 91-4421, 91-4423, 91-4425, 91-4426, 91-4427, 91-4428, 91-4429, 91-4430, 91-4431, 91-4437, 91-4438, 91-4439, 91-4440, 91-4442, 91-4443, 91-4444, 91-4445, 91-4446, 91-4447, 91-4448, 91-4449, 91-4450, 91-4451, 91-4454, 91-4455, 91-4459, 91-4460, 91-4461, 91-4462, 91-4463, 91-4464, 94-1506, 94-35-260

392	HB 68	Bradley	7/1/73	3/20/73

Provides that cities and towns may establish and maintain licensed day care centers; authorizes mill levy of up to one mill for such purposes.

Enacts Section 10-802.1

393	HB 107	Lynch	7/1/73	3/20/73

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Bases policemen's retirement pay on one-half the base salary, excluding overtime and annual leave received as an active officer; base retirement pay to be computed on the highest salary received in any one month during the last year of active service.

Amends Section 11-1821

394	HB 214	McKittrick	7/1/73	3/20/73

Provides for an increase in the maximum weekly benefits paid under the Unemployment Compensation Act; provides a new formula for determining the qualifying base period wage; provides amendments to conform with executive reorganization.

Amends Section 87-103

395	HB 241	Lien	7/1/73	3/20/73

Transfers the State Board of Hail Insurance from the State Auditor to the Department of Agriculture for administrative purposes only.

Repeals Section 82A-2103

396	HB 303	Bradley	7/1/73	3/20/73

Exempts from certification requirements student teachers performing practice teaching in public schools; defines the legal status of student teachers during such assignment.

Amends Section 75-6001

397	HB 363	Gunderson	7/1/73	3/20/73

Authorizes the Regents of the Montana University System to make rules and regulations on what constitutes adequate evidence of residency status of students; such rules and regulations are to be consistent with any court decisions regarding the constitutionality of present residency statutes.

Amends Section 75-8702

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398	HB 469	Greely	7/1/73	3/20/73

Requires the operator and/or passenger of any motorcycle to wear protective headgear which meets standards established by the Department of Justice; requires all motorcycles to be equipped at all times with noise suppression devices which are in good working order.

399	SB 175	Goodheart	3/21/73	3/21/73

Allocates $100,000 annually to be used by the Department of Highways for cooperative construction projects with railroads in erecting railroad grade crossing protection on roads and streets other than on interstate, primary or urban systems; provides that the Department of Highways shall select the crossings to be protected and that participation be on the same basis as applicable on federal aid roads; authorizes counties and cities to use funds allocated to them from gasoline tax proceeds for participation in grade crossing protection.

Enacts Section 84-1840.1

400	SB 261	Lynch	7/1/73	3/21/73

Raises the schedules of maximum school district general fund budgets which may be set without an additional voted levy as provided by Section 75-6923, R.C.M. 1947.

Amends Section 75-6905

401	SB 338	McNamer	3/21/73	3/21/73

Authorizes cities or their parking commissions to construct and maintain off-street parking and related facilities through the issuance of revenue bonds; such revenue bonds may be secured by the pledge of on-street and off-street parking revenues, special assessments, or reserves borrowed from other city funds; authorizes imposition of deficiency levy to fund reserve; allows mortgage liens against parking facilities to be paid from revenue bond proceeds.

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Amends Sections 11-3702, 11-3705, 11-3709 through 11-3712, 11-3718, 11-3720, 11-3723

402	SB 366	Highways & Transportation Committee	7/1/73	3/21/73

Permits the Department of Highways to develop formulas to apportion state construction funds during the interim between legislative sessions. Such apportionment formulas are valid only until approved, modified or rejected by the next succeeding legislative session.

Enacts Section 32-2612

403	SB 397	Vainio	3/21/73	3/21/73

Provides for a certificate of reciprocity to be issued to doctors of osteopathy who have been granted their degrees after the year 1955. Holders of the degree of doctor of osteopathy granted in 1955 or before will be certified only on the basis of taking and passing the examination given by the medical board.

Amends Section 66-1025

404	SB 427	McKeon	7/1/73	3/21/73

Extends Unemployment Compensation coverage to all individuals in the employ of the state of Montana or any of its instrumentalities effective December 31, 1974.

Amends Section 87-148

405	HB 16	Shelden (by request)	7/1/73	3/21/73

(constitutional implementation) Provides a general revision of the tax laws of Montana to implement Article VIII, Sections 3&7 of the 1972 Montana Constitution; designates the State Department of Revenue as the tax administration agency for the state;

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replaces the State Board of Equalization with a State Tax Appeal Board; designates county assessors as agents of the State Department of Revenue; provides for county tax appeal boards. (for revisions in titles other than Title 84, see Chapter 391)

Amends Sections 84-301, 84-402, 84-403, 84-406, 84-409, 84-410, 84-411, 84-412, 84-413, 84-414, 84-415, 84-427, 84-429, 84-429.7, 84-429.8, 84-429.9, 84-429.11, 84-439, 84-440, 84-441, 84-448, 84-449, 84-450, 84-451, 84-452, 84-501, 84-504, 84-505, 84-506, 84-507, 84-509, 84-510, 84-511, 84-515, 84-601, 84-602, 84-603, 84-604, 84-605, 84-607, 84-608, 84-609, 84-610, 84-701, 84-702, 84-703, 84-704, 84-705, 84-706, 84-707, 84-708, 84-709, 84-710, 84-711, 84-712, 84-714, 84-716, 84-717, 84-724, 84-802, 84-803, 84-902, 84-903, 84-906, 84-1505, 84-1508.1, 84-1704, 84-1706, 84-1833, 84-2009, 84-2010, 84-3804, 84-3808, 84-4001, 84-4002, 84-4004, 84-4005, 84-4006, 84-4013, 84-4201, 84-4202, 84-4211, 84-4503, 84-4604, 84-4605, 84-4606, 84-4713, 84-4715, 84-4716, 84-4717, 84-4718, 84-4719, 84-4720, 84-4721, 84-4822, 84-4824, 84-4825, 84-4903.11, 84-4921, 84-4922, 84-4923.1, 84-5202, 84-5203, 84-5205, 84-5206, 84-5214, 84-5403, 84-5606.23, 84-5606.24, 84-5606.26, 84-5801, 84-6012, 84-6013, 84-6014, 84-6202, 84-6702, 84-6703,
Repeals Sections 84-211, 84-429.10, 84-443 through 84-447, 84-453, 84-502, 84-503, 84-4732 through 84-4735
Enacts Sections 84-502.1, 84-708.1, 84-802.1, 84-903.1

406	HB 23	Ainsworth (by request)	7/1/73	3/21/73

(constitutional implementation) Revises petition and election requirements for changing county boundries and the location of county seats; reduces most petition requirements from 65% to "at least 50%."

Amends Sections 16-302, 16-305, 16-402, 16-405, 16-412, 16-501, 16-504, 16-505, 16-506

407	HB 50	Swanberg	7/1/73	3/21/73

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Changes the definitions of "dependent child" or "neglected child" to include children up to and including the age of 17 years.

Amends Section 10-501

408	HB 78	Fagg	4/30/73	3/21/73

Raises the fees for resident and nonresident fishing licenses; stipulates that the funds raised by this increase are not to supplement any funds or sources of funds currently used for the acquisition of fishing accesses, but serve in addition to those funds.

Amends Sections 26-202.1, 26-202.6

409	HB 108	Fasbender	3/21/73	3/21/73

Provides that when the constructin of flood control projects result in benefits to improvements on land within a drainage district, such benefits may be subject to assessment for the district costs of the project.

Amends Sections 89-2332, 89-2333, 89-2334, 89-2337, 89-2338, 89-2405, 89-2410

410	HB 112	Swanberg	7/1/73	3/21/73 ~~3/31/73~~

Provides that no person may conduct, maintain or operate a motor vehicle wrecking facility without first obtaining a license issued by the Department of Health and Environmental Sciences; provides annual license fee of $50; requires each county to maintain property for free motor vehicle graveyards; provides for the licensing of junkyards by the Department of Health and Environmental Sciences with the approval of the Department of Highways.

Amends Sections 32-4515, 32-4516

411	HB 118	Kendal	7/1/73	3/21/73

Requires a city treasurer to notify all owners of real estate upon which sewer service charges are

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delinquent as of January 1 of each year; such notification is to contain a statement that unless the delinquent sewer assessments are paid by the fillowing July 1, the same will be levied as a tax against the respective parcels of real estate; requires city treasurer to certify parcels upon which sewer charges are delinquent on March 1 of each year.

Enacts Section 84-4726.1

412	HB 128	Yardley	7/1/73	3/21/73

Amends the Dangerous Drug Act by adopting definitions, procedures, standards and schedules which are substantially the same as the Uniform Controlled Substances Act as recommended by the National Conference of Commissioners on Uniform State Laws; excludes from schedules of dangerous drugs non-narcotic drugs which may be lawfully sold without a prescription; deletes alternative of deferred imposition of sentance for persons convicted of the sale of dangerous drugs.

Amends Sections 54-132, 54-133
Repeals Sections 54-129, 54-130, 54-131, 66-1504.1

413	HB 135	Kendall	7/1/73	3/21/73

Authorizes cities and towns to hold elections on the issuance of general obligation bond issues without first filing a petition calling for such election; authorizes cities and towns to issue revenue bonds without holding an election on the question.

Amends Sections 11-2301, 11-2306, 11-2404
Repeals Section 11-2307

414	HB 146	Hageman	Act effective for tax year 1974	3/21/73

Requires each camper to be registered and to display an identifying number and decal as visual proof that Montana personal property taxes have been paid thereon for the current year; provides a registration fee of $1 for each camper.

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Amends Section 84-406

415	HB 256	Yardley	7/1/73	3/21/73

Establishes the salaries of county commissioners in first through fourth class counties by resolution of the board in an amount not to exceed the annual salary set by statutory schedule for the Office of Clerk and Recorder; increases mileage allowance of county commissioners from $.09 to $.12; increases maximum per diem compensation of commissioners in fifth through seventh class counties from $30 to $35.

Amends Section 16-912

416	HB 260	Cotton	7/1/73	3/21/73

Authorizes the Superintendent of Public Instruction to prepare a "degree of isolation" chart for use by school district trustees when granting increases in individual transportation contracts based on isolation.

Amends Sections 75-7004, 75-7005, 75-7019

417	HB 283	Cotton	7/1/73	3/21/73

Provides that the number of hours in any one school day for grades four through twelve may be reduced by one hour if the total number of hours in the school week is not less than 30 hours.

Amends Section 75-7403

418	HB 304	Haines	7/1/73	3/21/73

Requires county commissioners to contract with one qualified newspaper published within the county to perform all county printing, including legal advertising and all printed forms; in counties in which no newspaper operates a commercial printing establishment, the commissioners are to divide the county printing contract into two parts - one for legal advertising and one for all printed forms and supplies.

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Amends Sections 16-1230, 16-1231, 16-1232

419	HB 338	East	7/1/73	3/21/73

Gives community college districts the authority to issue bonds and borrow moneys and to repay such obligations from the various revenues of the college.

Amends Sections 75-7102, 75-8122

420	HB 394	Laas	7/1/73*	3/21/73

Creates a State Banking Board within the Department of Business Regulation composed of seven members appointed by the Governor; membership includes the Director of the Department of Business Regulation, who serves as chairman and executive officer of the board; provides per diem compensation to board members, excluding the chairman, at $25 plus actual expenses; gives banking board the power to make final determination upon applications for charters for new banks, mergers, consolidations, and relocations of banks; requires board to promulgate rules concerning the chartering of new banks, including minimum standards under which an application shall be determined.

*Provisions of act do not apply to any application filed prior to 1/1/73.

421	HB 396	Towe	3/21/73	3/21/73

Permits the investment of county, school district, or county high school moneys under the state unified investment program established in Title 79, Chapter 3, R.C.M., 1947.

Amends Section 16-2050

422	HB 406	Edland	7/1/73	3/21/73

Provides that any motor vehicle manufactured after 1934 and more than 30 years old may be registered as a "vintage" vehicle; provides that motor vehicles manufactured in 1933 or earlier may be registered as

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a "pioneer" vehicle.

Amends Section 53-106.1

423	HB 441	Lee	7/1/73	3/21/73

Exempts certain persons from the licensing and inspection provisions of the Electrical Safety Law (Title 66, Chapter 28); persons exempted include individuals doing electrical work on their own property, provided that said property is maintained for their own use, and persons working on the repair of electrical signal or communications equipment owned or operated by a public utility or city.

Amends Section 66-2812

424	HB 442	Forsgren	7/1/73	3/21/73

Provides procedures for fire drills in schools; requires each school in the state to hold at least eight fire exit drills a year; sets forth duties of school authorities during fire drills.

Enacts Section 75-8308.1
Repeals Sections 75-8308, 75-8309

425	HB 456	Lee	7/1/73	3/21/73

Establishes the National Electrical Code as a minimum approved safety standard; provides that a majority affirmative vote of all appointed members of the board of electricians is required to set any standards that are more stringent than those set forth in the National Electrical Code.

Amends Section 66-2802

426	HB 480	Regan	7/1/73	3/21/73

Provides for a three-day "cooling-off" period on door-to-door sales contracts; provides that the buyer or any other person obligated for any part of the purchase price may cancel a home solicitation sale up until midnight of the third business day

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after the day on which the buyer has signed an agreement to purchase; gives sample statement of revokation and duties of each party regarding cancellation.

427	HB 534	Marks	4/20/73	3/21/73

Authorizes cities, counties and airport authorities to impose reasonable passenger service charges, not to exceed $2 per day, for the use of certain public airports; fees are to be collected either by passenger air carriers on a contract basis if they so agree, or by airport personnel; provides procedures for the collection, disposition and reporting of fees; provides penalties for noncompliance.

428	HB 573	Bardanouve	7/1/73	3/21/73

Codification and general revision of the laws relating to the Department of State Lands in accordance with the provisions of the Executive Reorganization Act.

Amends Sections 50-702, 81-102, 81-103, 81-104, 81-301, 81-302, 81-304, 81-402, 81-404, 81-405, 81-407, 81-412, 81-413, 81-414, 81-415, 81-416, 81-418, 81-419, 81-421, 81-422, 81-423, 81-424, 81-426, 81-428, 81-433, 81-436, 81-501, 81-502, 81-506, 81-508, 81-510, 81-601, 81-602, 81-603, 81-604, 81-605, 81-606, 81-607, 81-608, 81-611, 81-612, 81-613, 81-616, 81-701, 81-702, 81-704, 81-801, 81-802, 81-803, 81-901, 81-902, 81-910, 81-912, 81-915, 81-917, 81-919, 81-921, 81-923, 81-924, 81-926, 81-927, 81-928, 81-930, 81-932, 81-1101, 81-1101.1, 81-1103, 81-1110, 81-1115, 81-1117, 81-1118, 81-1119, 81-1121, 81-1601, 81-1604, 81-1702, 81-1702.1, 81-1702.2, 81-1705, 81-1706, 81-1712, 81-1716, 81-1717, 81-1718, 81-1720, 81-1726, 81-1728, 81-1729, 81-1730, 81-1731, 81-2201, 81-2202, 81-2203, 81-2204, 81-2205, 81-2302, 81-2303, 81-2402, 81-2403, 81-2404, 81-2405, 81-2406, 81-2407, 81-2408, 82A-1101, 82A-1104
Repeals Sections 50-1101 through 50-1114, 81-201, 81-202, 81-203, 81-204.1, 81-207 through 81-210, 81-305, 81-306, 81-422.1, 81-618 through 81-620, 81-916, 81-934 through 81-942, 82-904, 82A-1102, 82A-1103

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Enacts Section 82A-1101.1

429	SB 385	Lynch	3/22/73	3/22/73

Provides that a railroad, after having its proposed rate revision suspended by the Railroad Commission, must support such suspended tariff sheets with testimony and exhibits filed with the commission 30 days after the effective date of such suspension; allows the complaint of any interested party to be filed with the Commission within 20 days after the filing of proposed changes; provides that the commission may suspend the operation of a proposed rate or classification for a period not to exceed 180 days, and must investigate same within 60 days.

Amends Section 72-118

430	SB 406	James	7/1/73	3/22/73

Makes it unlawful to sell contraceptive drugs or devices through vending machines; prohibits the display or advertising of contraceptives by other than licensed pharmacists; allows the dissemination of medically acceptable contraceptive information; provides for the seizure of illegal stocks and penalties for persons violating provisions of act.

Repeals Sections 94-3616, 94-3617, 94-3619

431	SB 451	Legislative Administration Committee	3/22/73	3/22/73

Reduces the membership of the Legislative Council from twelve to eight members, divided equally by house and political party; provides terms of members of two years, terminating with the appointment of a new council or on the 50th legislative day of the first regular session following the biennium of appointment; provides that the legislative council shall assist in the preparation and submission of all standing and select committee and subcommittee reports to the legislature; authorizes the council to establish functional divisions to include legislative services, research and reference services, legal

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services and management and business services; provides for appointment of and powers of select and standing committees when the legislature is not in session.

Amends Sections 43-709 through 43-715

432	HB 509	Fasbender	7/1/73	3/22/73

Changes the basis for determining the strip coal mines license tax and removes the reclamation credit against such tax; raises the amount of tax per ton of coal mined based on the British thermal unit rating of such coal; provides for the distribution of tax at $.01 per ton to the general fund of the county from which the coal was mined and the remainder to the state general fund.

Amends Sections 84-1302, 84-1303
Enacts Section 84-1309.1

433	SB 18	Moore (by request)	3/22/73	3/22/73

(constitutional implementation) Provides precedures whereby the legislature may be convened in special session by the Governor or at the written request of a majority of the members; such sessions may be limited to subjects specified in the call; provides that when the legislature is not in session, any ten members may request in writing to the Secretary of State that a special session be called; provides procedures for polling legislators on convening at the request of ten members.

434	SB 345	Zody	3/22/73	3/22/73

Changes composition of the Board of Nursing Home Administrators; provides non-voting, ex officio membership of the directors of the Departments of Health and Environmental Sciences and Social and Rehabilitative Services or their representatives; provides that the terms of all appointive members shall be three years and they shall serve staggered terms with no more than two terms expiring each year.

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Amends Section 66-3102

435	SB 360	Highways & Transportation Committee	7/1/73	3/22/73

Provides that the Highway Patrol Bureau shall pay counties actual expenses or $5 per day, whichever is less, for each prisoner held in the county jail upon order of the Highway Patrol; "day" is defined as a 24-hour period or portion thereof, beginning with the time of incarceration.

Amends Section 16-2818

436	SB 363	Highway & Transportation Committee	7/1/73	3/22/73

Provides that the Department of Highways may not control access to county roads, secondary highways or within incorporated cities and towns without first obtaining the consent of the appropriate governing body; eliminates the requirement of petitions for such consent.

Amends Section 32-4305
Repeals Section 32-4304

437	SB 369	Highways & Transportation Committee	7/1/73	3/22/73

Provides that a driver's license suspended by a court due to the licensee's financial responsibility on a judgment shall remain suspended until the judgment is satisfied or until six years have passed from the date judgment was first entered.

Amends Section 53-431.

438	SB 373	Bertsche	7/1/73	3/22/73

Authorizes the Department of Administration to negotiate and contract for all group insurance and

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health service plans issued to all officers and employees of all departments of the executive and legislative branches of Montana state government; provides for the creation of an advisory council (Section 82A-110 R.C.M., 1947) to meet quarterly to review policy and claim problems; requires approval of 2/3 of the members of an existing group before such group is combined with a larger group for insurance purposes.

439	SB 381	Siderius	3/22/73	3/22/73

Provides staggered terms for members of the Board of Architects; provides educational prerequisites for practice of architecture; provides that applicants for the architecture examination shall pay a fee set by the board of architects and commensurate with the cost of the examination; provides compensation of board members at $25 per day plus mileage and actual expenses.

Amends Sections 66-101, 66-103, 66-107, 66-108, 66-109, 66-112

440	SB 411	Bertsche	7/1/73	3/22/73

Authorizes the Department of Administration to develop a wage and salary plan for state employees to be submitted to the 1975 legislative assembly; grants Department of Administration authority to develop a personnel classification plan; exempts elected officials, officers of the legislative and judicial branches, members of boards and commissions and department heads appointed by the Governor, members of the militia, and higher education academic personnel; provides that changes in position classifications or number of employees must be approved by the Department of Administration; creates a Board of Personnel Appeals to hear grievances arising from the implementation of the act.

Enacts Section 82A-1014

441	SB 446	Bertsche	7/1/73	3/22/73

Grants public employers and employees the right to

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bargain collectively; provides that the Board of Personnel Appeals (see Chapter 440) may designate labor organizations to be exclusive representatives of employees in certain units of government, or such designation may be accomplished through an employee election called by the Board of Personnel Appeals; defines unfair labor practices and provides that the Board of Personnel Appeals shall establish remedies for same; provides procedures for implementing provisions of act.

442	SB 86	McDonald	7/1/73	3/23/73

Provides for the regulation by the Department of Agriculture of the various phases of the marketing and distribution of agricultural seeds intended for propagation purposes; restricts methods of disposing of materials removed from seed which contain viable prohibited noxious weed seed; provides fines upon conviction for violation of act.

Repeals Sections 3-301 through 3-309

443	SB 115	Siderius	7/1/73	3/23/73

Amends sections dealing with Workmen's Compensation Plan No. 1 to conform with changes under executive reorganization; deletes material which defines hazardous occupations to which the Workmen's Compensation Act applies.

Amends Sections 92-209, 92-901, 92-902, 92-1102, 92-1121
Repeals Sections 92-301 through 92-306, 92-402 through 92-407

444	SB 121	Keenan	7/1/73	3/23/73

Defines "wages" within the Workmen's Compensation Act as the average gross earnings received by the employee at the time of the injury for the usual hours of employment in a week and overtime is not to be considered; includes certain sick leave as wages.

Enacts Section 92-423.1

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Repeals Section 92-423

445	SB 128	Bertsche	7/1/73	3/23/73

Defines "average weekly wage" within the Workmen's Compensation Act as meaning the mean weekly earnings of all employees under covered employment as defined by the Division of Employment Security of the Montana Department of Labor and Industry; average weekly wage is to be established at the nearest whole dollar and adopted prior to July 1 of each year by the Division of Workmen's Compensation.

Repeals Section 92-422
Enacts Section 92-423.2

446	SB 139	McCallum	7/1/73	3/23/73

Increases the compensation paid county surveyors and members of boards of county commissioners for inspecting roads and construction work from $20 to $33 per day.

Amends Section 32-2805

447	SB 187	Graham	3/23/73	3/23/73

Amends the Montana Insecticide, Fungicide and Rodenticide Act of 1947 by including seed with those items upon which pesticides are applied by commercial applicators; makes act applicable to public utility applicators; sets dealer's or retailers's license fee at $5; requires separate dealer's license for each outlet from which pesticides are obtained; exempts licensed veterinarians and pharmacists from licensure; provides that retailers selling only insect repellents to be used by humans be required to pay a reduced licensing fee of $5.

Amends Sections 27-216, 27-221, 27-225, 27-227

448	SB 196	Himsl	7/1/73	3/23/73

Broadens and redefines terms used to define hospitals, hospital-related facilities, long-term care facilities

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and related health care facilities; makes it unlawful for any facility to use the word "nursing" in its name, signs, advertisements, etc., unless that facility does provide twenty-four hour nursing care by licensed nurses.

Amends Sections 69-5201, 69-5213

449	SB 212	James	3/23/73	3/23/73

Allows sixty days for the filing of crude oil production and license tax statements and for the payment of license taxes; provides that statements and tax be sent to the Department of Revenue rather than the State Treasurer; provides that any tax overpayments be applied against tax liability for subsequent quarters, or refunded if there is no subsequent tax liability.

Amends Section 84-2207

450	SB 303	McKeon	3/23/73*	3/23/73

Establishes new gross income standards for determining liability to file income tax returns; provides requirements for the filing of state income tax returns by nonresidents.

Amends Section 84-4914
*Act is effective for all taxable years ending on and after 12/31/72

451	SB 308	McDonald	7/1/73	3/23/73

Provides for licensure of milk processors and producers by the Department of Health and Environmental Sciences; sets annual license fees of $50 for manufactured dairy products plants and $5 for cream stations and dairies producing milk for manufacturing purposes; requires licenses to be posted in conspicuous view at place of business; sets penalty of $5 per month for failure to apply for renewal of license.

Repeals Section 3-24-112

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452	SB 444	McGowan	7/1/73	3/23/73

The Montana Water Use Act provides a system for the appropriation and use of surface and groundwater; provide a procedure for determining and confirming existing water rights and establishes a system of centralized records of all water rights pursuant to Article IX, Section 3(4) of the 1972 Montana Constitution. Provides for administration of act and the issuance of water permits by the Department of Natural Resources and Conservation under the supervision of the Board of Natural Resources and Conservation; criteria used for issuance of permits include (1) presence of unappropriated waters in the source of supply (2) possibility of adverse affect on the rights of a prior appropriator (3) adequacy of proposed diversion or construction (4) beneficial use of the water (5) whether or not the proposed use will interfere with other planned used for which a permit has been issued or water reserved.

Amends Sections 89-1001, 89-2911, 89-2915, 89-2917, 89-2918
Repeals Sections 89-121 through 89-123, 89-801 through 89-804, 89-807 through 89-816, 89-829 through 89-842, 89-844, 89-845, 89-847 through 89-855, 89-857 through 89-864, 89-2912, 89-2913, 89-2919 through 89-2925, 89-2935
Enacts Sections 89-2928.1, 89-2934.1

453	SB 5	Lynch (by request)	7/1/73	3/24/73

(constitutional implementation) Provides that when a private property owner prevails in an eminent domain action, his award is to include the necessary expenses of the litigation, paid by the condemnor.

Repeals Section 93-9921
Enacts Section 93-9921.1

454	SB 12	Moore (by request)	7/1/73	3/24/73

(constitutional implementation) Revises initiative and referendum administrative requirements to change the word "voter" to "qualified elector" with regard

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to initiative and referendum petitions and/or elections; revises form of initiative petition to include information as to the petitioner's legislative representative district of residence.

Amends Sections 37-101 through 37-105, 37-107 through 37-109
Repeals Section 23-2701.1

455	SB 180	Bollinger	7/1/73	3/24/73

Raises the mileage allowance for county sheriffs from $.11 to $.12 per mile; provides a mileage allowance for district judges of $.12 per mile when holding court in counties other than their county of residence.

Amends Sections 16-2723, 93-313

456	SB 182	Moore	7/1/73	3/24/73

Provides that the state examiner shall send a copy of only the "general comments" section of his annual report of cities and towns of 1000 or less population to the official newspaper of such cities or towns for publication.

Amends Section 82-1010

457	SB 220	McGowan	7/1/73	3/24/73

Increases the size of the Board of Horse Racing from three to five members; provides for new terms of office of members appointed by the Governor after 1/1/74; provides that three members of the Board shall constitute a quorum.

Amends Sections 62-501, 62-503

458	HB 26	Ainsworth (by request)	7/1/73	3/24/73

(constitutional implementation) Provides for the consolidation of county offices among one or more counties; requires a petition to be submitted to the

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county commissioners signed by not less than 15% of the qualified electors in each of the counties affected; consolidation of offices between counties may be initiated directly by county commissioners by passing a resolution of two or more boards of county commissioners stating their intention to consolidate offices; provides procedures for examination of petitions, conduct of hearings on the question, and salary for consolidated officers.

Amends Sections 16-2501 through 16-16-2503, 16-2505, 16-2507
Enacts Section 16-2501.1

459	HB 65	McKittrick	7/1/73	3/24/73

Grants the Board of Natural Resources and Conservation the specific authority to provide for the disposal of state-owned water projects which are no longer needed; proceeds from the sale of such projects are to be deposited to the state general fund; provides that any incorporated water users' association that is responsible for the operations of its works is solely liable for any court action brought against it for injury occuring on the works caused by a failure to maintain safe working and operating conditions.

Amends Section 89-115

460	HB 153	McKittrick	7/1/73	3/24/73

Increases the minimum monthly wage of firemen in cities of the first class from $525 to $600; increase minimum monthly wage of firemen in second class cities from $475 to $600.

Amends Section 11-1932

461	HB 205	Johnston	7/1/73	3/24/73

The Nongame and Endangered Species Conservation Act provides for the protection of species or subspecies of wildlife which are deemed to be endangered by prohibiting the taking, possession, transportation, exportation, processing, sale or shipment of such

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wildlife unless such actions will assist in the preservation or propagation of such species or subspecies; designates the Commission and Department of Fish and Game to administer act and to compile lists of endangered nongame animals based on their scientific investigations of the various species and subspecies; state list of endangered nongame animals to be presented to legislature and updated every two years.

462	HB 265	Jacobsen	7/1/73	3/24/73

Increases the maximum allowable width of vehicles operating on Montana highways from 96 inches to 102 inches; increases the distance which farm vehicles exceeding the width restrictions may travel from 50 to 100 miles; deletes the requirement that certain farm vehicles have flagman escorts, except when such vehicles are passing through a hazardous area.

Amends Section 32-1123

463	HB 320	Fagg	7/1/73	3/24/73

Prohibits the public display of offensive sexual material; defines such material as any visual representation of the human body or any portion thereof that predominantly appeals to prurient interest in sex, and is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors, and is utterly without social importance for minors; public display applicable to drive-in movies where picture is easily visible from any public thoroughfare; prohibits theaters from displaying previews containing offensive sexual material if minors are permitted to attend the showing of the motion picture then being featured; provides penalties for violation of act.

464	HB 343	Holmes	7/1/73	3/24/73

Requires that, by 7/1/79, all elementary and secondary school district trustees of schools on, or in the vacinity of, Indian reservations shall employ only

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those certified personnel who have satisfied the requirements for instruction in American Indian studies; encourages trustees of similar non-public schools to comply with provisions of act; provisions of act restricted to schools on or near Indian reservations where the enrollment of Indian children qualifies the school for federal funds for Indian education programs.

465	HB 367	Regan	7/1/73	3/24/73

Prohibits the use of chain distributor schemes, defined as a sales devise whereby a person, under a condition that he make an investment, is granted a license or right to recruit for consideration one or more additional persons who are also granted such license or right upon condition of making an investment, and may further perpetuate the chain of persons who are granted such license or right upon such condition; sets penalties for felony conviction of a violation of the act.

466	HB 372	Bennetts	7/1/73	3/24/73

Establishes procedures within the Department of Labor and Industry designed to enable women to contribute to society according to their fullest possible potential; mandates the Department of Labor and Industry to conduct studies about the changing employment needs and problems of women in Montana and make recommendations to the governor and the legislative assembly; provides seven other directives to the Department of Labor and Industry with regard to aiding women who desire to enter the labor market, curbing job discrimination and expanding the employment rights and opportunities available to Montana women.

467	HB 373	Edland	7/1/73	3/24/73

Provides that agricultural associations formed under the Cooperative Marketing Act (Title 14, Chapter 4, R.C.M., 1947) are not deemed to be a combination in restraint of trade as defined by Section 94-1104, R.C.M. 1947.

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Enacts Section 14-417.1

468	HB 513	Fasbender	7/1/73	3/24/73

Reinstates a statutory provision, pertaining to an alternative corporation license tax based on gross sales, which was inadvertently deleted by Section 1, Chapter 7, second extraordinary session laws of the 42nd legislative assembly.

Amends Section 84-1501

469	HB 519	Greely	7/1/74	3/24/73

Establishes a central reporting system within the Department of Revenue to assist in the identification of corporations transacting business within the state and/or subject to taxation by the State of Montana; requires the Secretary of State and the Department of Labor and Industry to provide lists relating to corporations; requires the Department of Revenue to compile a master list of all foreign and domestic corporations subject to taxation; lists of corporations are to be public records.

470	SB 28	Lynch (by request)	7/1/73	3/27/73

(constitutional implementation) Creates a Judicial Nomination Commission, whose function is to provide the Governor with a list of potential candidates to fill any vacancy on the Supreme Court or any district court; Commission to be composed of seven members, including four lay members, two attorneys, and one district judge; first terms of original members to expire on 1/1/76 and successors to serve staggered terms; members of Commission entitled to actual expenses incurred in service but may not receive compensation; proceedings of Commission to be confidential.

Repeals Sections 93-209, 93-220, 93-309

471	SB 129	McKeon	7/1/73	3/27/73

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Provides compensation under the Workmen's Compensation Act for injuries producing temporary total disability at 66, 2/3 of the wages received at the time of the injury; total temporary disability benefits are to be paid for the duration of the worker's temporary disability and are not to exceed the state's average weekly wage.

Enacts Section 92-701.1
Repeals Section 92-701

472	SB 376	Gilfeather	7/1/73	3/27/73

Gives discretionary power to the Board of Regents to waive nonresident tuition in excess of 2% of unit enrollment for nonresident students who enroll under provisions of any which sponsored state reciprocal agreements which provide for the payment, where required, of the student support fee by the reciprocal state.

Amends Section 75-8601

473	SB 377	Northey	3/27/73	3/27/73

Provides that every motor carrier shall, at the time of issuance of a certificate and annually thereafter pay to the Public Service Commission a $5 fee for every motor vehicle operated by the carrier on the public highways of the state; such fees are payable between the 1st and 15th of January of each year and are in addition to all other licenses, fees or taxes imposed on motor vehicles.

Amends Section 8-116

474	SB 383	Lynch	7/1/73	3/27/73

Increases the schedule of salaries paid county officers approximately 15% above the current statutory schedule; provides that county superintendents of schools are to receive $400 per year in addition to the amount derived from the schedule and that county sheriffs are to receive a similar additional amount of $1,200; provides that the county attorney in counties having a population in excess of 30,000 shall receive a salary

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of $16,000 per year.

Amends Section 25-605

475	SB 396	Deschamps	7/1/73	3/27/73

Amends Montana Apiculture Act (Title 82, Chapter 8, R.C.M., 1947); provides for regulation of apiaries by Department of Agriculture; authorizes Department of Agriculture to issue certificates of registration for apiaries which is to be posted in a conspicuous place at or near the location of the colony of honeybees or beehives; increase the schedule of apiary registration fees based on the number of colonies owned or possessed by each applicant.

Amends Sections 82-805 through 82-809, 82-811, 82-814

476	SB 431	Thiessen	7/1/73	3/27/73

Provides laws for administering annual vacation and sick leave benefits for all employees of state, county and city governments; provides that each full-time employee of the state, or any county or city thereof, is entitled to earn vacation leave credits from the first full pay period of employment, calculated at the rate of 2080 hours equaling one year; allows permanent part-time employees to receive prorated annual vacation benefits if they have regularly scheduled work assignments and normally work at least twenty hours each week of the pay period and have worked the qualifying period of twelve months; clarifies provisions regarding the lump sum payment of accrued sick leave; provides procedures for public employees to take jury leave.

Amends Sections 59-1001, 59-1003, 59-1005, 59-1008

477	SB 447	McCallum	7/1/73	3/27/73

Requires every insurer under any workmen's compensation plan to accept or deny a claim within thirty days of its filing; requires biweekly compensation benefits to be continuously paid until the claimant is released by his doctor, returns to work, or no

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longer suffers a loss of earnings capacity; allows termination of compensation only after notice and division approval; requires insurer to pay all litigation costs incurred by the claimant in cases where a claim which was denied is found to be compensable either through hearing or appeal to the courts.

478	SB 454	Groff	3/27/73	3/27/73

Authorizes maximum statewide mill levies of two mills for the state general fund and six mills for the university millage fund for the years 1973 and 1974.

479	SB 455	Groff	7/1/73	3/27/73

Authorizes maximum statewide mill levy of three mills for the property tax administration fund for the years 1973 and 1974.

480	HB 46	Brand	7/1/73	3/27/73

Increases the minimum fine for littering campgrounds from $10 to $25; increases the suspension period of hunting, fishing and camping licenses upon conviction of littering from ninety days to one year from the date of conviction; provides that any person who hunts, fishes, camps or traps in Montana while such license and privilege are suspended is guilty of a misdemeanor.

Amends Sections 94-3339, 26-812

481	HB 140	Brand	7/1/73	3/27/73

Provides supplementary procedure for the disinterment of dead bodies; allows disinterment for reinterment or transport on receipt of a permit therefor from the local registrar of the jurisdiction where the body is interred; authorizes the Department of Health and Environmental Sciences to adopt rules to administer act, including a provision that as a right to the permit the applicant must make a showing of reasonable cause for the disinterment.

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482	HB 149	Harper, R.	7/1/73	3/27/73

Requires a board of county commissioners to purchase liability insurance protecting the sheriff, under-sheriff, deputy sheriffs, and members of any voluntary reserve organization acting under the direction of the sheriff; such liability insurance is to provide minimum coverage of $100,000 per occurence while the insured officer is acting on official county business.

483	HB 169	Asbjornson	7/1/73	3/27/73

Defines long-term care facilities to include skilled nursing facilities and intermediate care facilities; defines the term "inactive nursing home administrator" as an individual who has been licensed in this state as a nursing home administator, and whose license has not been revoked or suspended but who is not actively engaged in nursing home administration; changes the composition of the Board of Nursing Home Administrators; provides annual registration fee for inactive nursing home administrators of not more than $25; requires nursing home administrators and inactive nursing home administrators to complete a continuing education course prior to renewal of registration or license; provides penalties for violation of act.

Amends Sections 66-3101 through 66-3105, 66-3109, 66-3110, 66-3112

484	HB 254	Watt	7/1/73	3/27/73

Eliminates the reduced corporation license tax rate of 6 1/4% for taxable years ending after 2/28/73; sets rate of 6 3/4% as retroactive to and effective for all taxable years ending on or after February 28, 1971.

Amends Section 84-1501
Repeals Section 84-1501.8

485	HB 272	Baucus	7/1/73	3/27/73

Includes retirement homes and rooming houses as

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transient lodging establishments subject to control by the Department of Health and Environmental Sciences; defines "transient guest" as a guest for a brief stay, such as the traveling public; provides that existing licenses to operate transient lodging establishments shall be renewed as a matter of right, unless conditions exist which are grounds for a cancellation or denial of a license, in which case such denial or cancellation shall be preceded by written notice and an opportunity for a hearing; increases annual license fee for operating a transient lodging establishment from $5 to $10.

Amends Sections 34-301 through 34-304, 34-306
Repeals Section 34-308

486	HB 334	Lien	7/1/73	3/27/73

Clarifies the limit of indebtedness a county can incur as being 5% of the assessed value of the taxable property in the county; increases the amount of single-purpose indebtedness which a county may incur without submission to voters from $10,000 to $40,000.

Amends Section 16-807

487	HB 368	Schye	7/1/73	3/27/73

Provides that all applicants for a Montana retail liquor or beer license may be required by the Department of Revenue to have their fingerprints taken for use in determining the eligibility of the applicant for such license; provision applicable to all who file a security interest against liquor or beer licenses except as to banks, savings and loan institutions, and licensed lending agencies.

488	HB 458	Norman	3/27/73	3/27/73

Amends definition of "injury" or "injured" within the Workmen's Compensation Act to include cardiovascular or pulmonary or respiratory diseases contracted by a paid fireman employed by a municipality or fire district caused by over-exertion in times of stress or danger in the course of his

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employment by proximate or cumulative exposure over a period of four years or more to heat, smoke, chemical fumes, or other toxic gases.

Amends Section 92-418

489	HB 532	Towe	7/1/73	3/27/73

Clarifies the classification of rights of entry for assessment purposes; authorizes county assessor and the state and county boards of equalization to determine the value of the right to enter upon land when such right is reserved in land or received by mesne conveyance (exclusive of leasehold interest); devise or succession by any person or corporation, the surface title to which has passed to or remains in another.

Amends Section 84-301

490	HB 578	Gunderson	7/1/73	3/27/73

Creates a temporary commission to be known as the Commission on Post-secondary Education; Commission to consist of not more than thirty members appointed by the governor and serving at his pleasure; duties of the Commission include the making of a detailed and thorough study of post-secondary education in the state and comprehensive inventories of all public and private post-secondary educational resources in the state; commission is to devise a system of accountability that will accurately measure educational output in relation to financial input; Commission members entitled to compensation of $25 per day, and to reimbursement for actual expenses while on Commission business; appropriates $300,000 from the state general fund to the Commission for the biennium ending June 30, 1975; Commission to give written report with recommendations to the Governor, legislature and Board of Education no later than 12/1/74.

491	SB 23	Moore (by request)	7/1/73	3/29/73

(constitutional implementation) Provides that there be a minimum of one justice court in each county in

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the state; abolishes the fee system of compensating justices of the peace and provides that the monthly salary of a justice formerly receiving fees is to be at least one-eighteenth of the total fees collected in his court during the years 1971 & 1972; requires counties to provide each justice with an office, courtroom, clerical assistance and other materials; increases the terms of office of justices of the peace from two years to four years; requires that persons seeking appointment as justice be either a practicing attorney, a former justice within the preceding five years, or a graduate of the orientation course of study held under the direction of the Montana Magistrates Association.

Amends Sections 11-727, 16-2403, 16-2404, 16-2406, 25-307, 93-401 through 93-403, 93-405, 93-704, 93-1602, 93-6601, 93-6602, 93-6706, 93-6903, 93-7302, 93-7311, 93-7402, 93-7605, 93-7607, 93-7704, 93-7709, 93-9705
Repeals Sections 25-303, 25-305, 25-306

492	SB 124	Siderius	7/1/73	3/29/73

Exempts certain employments from mandatory coverage under the Workmen's Compensation Act; exempted employments include household employment, casual employment, employment of members of an employer's family dwelling in his household, sole proprietors or working members of a partnership, employment in which liability for injury, disease, or death is provided under the laws of the United States, and any person performing services in return for aid or sustenance only.

Repeals Section 92-202
Enacts Section 92-202.1

493	SB 127	McKeon	7/1/73	3/29/73

Provides that when both the employer and employee elect to come under the provisions of the Workmen's Compensation Act, such election is held to be a surrender by both of their right to any other compensation or proceeding for injury or death to the employee or his heirs; grants employees under act or their heirs the right to prosecute third

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parties other than the employer; stipulates that the employer or insurer shall be entitled to full subrogation for all compensation paid under the act.

Repeals Section 92-204
Enacts Section 92-204.1

494	SB 254	Carl	7/1/73	3/29/73

Increases the fee for snowmobile tax-paid decals from $1 to $2; moneys collected from such fees to be credited to the State Fish and Game Commission, with $1 designated for use in enforcing the snowmobile laws and $1 designated for use in developing snowmobile facilities; provides for issuance of duplicate decals; provides for dealer fees of $5 entitling a snowmobile dealer to two identification cards to be used when operating or demonstrating dealer's snowmobiles.

Amends Section 53-1025

495	SB 339	McNamer	7/1/73	3/29/73

Increases mileage and per diem allowances for public officers and employees; increases the allowance paid public officers and employees for reimbursement of personal automobile expenses from $.09 to $.12 per mile; increases the in-state per diem travel allowance from $13.50 to $16.00 and the out-of-state per diem travel allowance from $22.50 to $25.00; increases the luncheon allowance for travel of less than 24 hours from $1.25 to $2.00.

Amends Sections 59-801, 59-802, 59-538, 59-539

496	SB 467	Groff	7/1/73	3/29/73

Authorizes the state purchasing agent to enter into contracts for the lease-purchase of state buildings for periods longer than the present three year minimum; such contracts must be made subject to the approval of the legislature as part of the long-range building program and subject to non-binding public bids if more than one person or company is

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prepared to enter into such contracts; lease-purchase contracts may provide an option to purchase provision subject to the limitation that such option must be exercised within twenty years from the contract execution date.

Amends Section 82-1918

497	HB 97	Fasbander	7/1/73	3/29/73

The Montana Resource Indemnity Trust Act creates a Resource Indemnity Trust account in the Trust and Legacy fund to be funded by an annual tax of $25 paid by persons engaged in the business of mining, extracting or producing minerals; an additional sum of one-half of one percent of the gross value of product extracted annually in excess of $5,000 is to be paid in addition to the $25 tax; all investment earnings of the fund are to be added thereto until the balance reaches $10 million, at which time net earnings may be appropriated and expended to improve the total state environment and rectify damage thereto; balance in the account is to be maintained at $100 million.

Enacts Sections 84-7001 through 84-7012

498	HB 357	Lee	7/1/73	3/29/73

Exempts persons from disqualification under the Unemployment Compensation Act if they leave employment because of personal illness or injury not associated with misconduct, or leave employment upon the advise of a physician, provided that on recovery they return to their employer and are unable to obtain their regular or comparable suitable work.

Amends Section 87-106

499	SB 183	Bennett	7/1/73	4/2/73

Provides that the bank or banks in which county and/or city monies are deposited on time must pay the same rate of interest on such deposits as is paid on money from private sources on the same terms; refusal of any bank to pay said interest rate.

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is to constitute a waiver of that bank's right to participate in the ratable distribution of treasury funds as set forth in Section 16-2618 (4), R.C.M., 1947.

Amends Section 16-2618

500	SB 208	Turnage	7/1/73	4/2/73

The Montana Subdivision and Platting Act provides for surveying, platting and subdividing of land divided into two or more parcels, any of which is ten acres or less; requires the governing body of every county, city or town to adopt before 7/1/74 subdivision regulations providing for the orderly development of their jurisdictional areas; requires general developmental guidelines to be promulgated by the Department of Intergovernmental Relations through its division of planning and economic development; sets requirements for surveying and surveyors and for recording surveys and plats; requires dedication of land within a subdivision for public recreation areas; requires governing bodies to review subdivision plans and approve or reject same within 160 days and to hold public hearings in assessing the environmental impact of such subdivisions.

Repeals Sections 11-601 through 11-616, 11-3843 through 11-3848, 11-3851

501	SB 214	Boylan	7/1/73	4/2/73

Provides for the issuance of revenue bonds by airport authorities; authorizes airport authorities to issue revenue bonds by resolution, without an election, and without any limitation except that no bonds may be issued if the total amount of principal and interest to become due in any year exceeds the amount of estimated revenues to be received in that year; airport authority is obligated to take all action necessary to impose, maintain and collect rates, charges, rentals and taxes sufficient to meet yearly principal and interest charges; municipalities in excess of 10,000 population are authorized to covenant by resolution that they will impose a general tax levy sufficient to pay any deficiency likely to occur within one year of the time of payment of

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Summary of Provisions

principal and interest due.

Amends Sections 1-804, 1-912, 1-916

502	SB 300	James	4/2/73	4/2/73

State Antiquities Act provides a method for the identification, acquisition, restoration, enhancement, preservation, conservation and administration of the historic, archaeological, paleontological, scientific and cultural sites and objects of the State of Montana; authorized the State Board of Land Commissioners, on the recommendation of the State Fish and Game Department and the State Historical Society, to designate sites and objects situated on state land for registration; prohibits persons from excavating on any such registered sites without obtaining a permit from the Fish and Game Department.

503	SB 470	Groff	7/1/73	4/2/73

Increases the maximum allowable county general fund mill levy to 27 mills in counties of the fourth through seventh classes and 25 mills in counties of the first through third classes; this increase may not be taken after July 1, 1974 until the sales-ration studies conducted by the Department of Revenue demonstrate that the average assessed value of single family dwellings in the county equals or exceeds 36% of full cash value.

Amends Section 16-1015

504	HB 131	Lynch	7/1/73	4/2/73

Increases the benefit payments to persons having silicosis from $158.50 to $175.00 per month. Provides for administration of the silicosis program by the Division of Workmen's Compensation.

Amends Sections 71-1003, 71-1004, 71-1008

505	HB 211	Towe	7/1/73	4/2/73

Increases the maximum salary of juvenile probation

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officers from $10,200 to $11,000 per year.

Amends Section 10-622

506	HB 217	Lund	7/1/73	4/2/73

Grants additional powers to the Department of Health and Environmental Sciences relating to acquisition of information and enforcement of remedies for the purpose of complying with the 1972 amendments to the Federal Water Pollution Control Act; includes authority for department to promulgate pretreatment standards for wastewater discharged into municipal disposal systems, adopt effluent standards, and establish standards of performance for new point source discharges.

Amends Sections 69-4802, 69-4808.2, 69-4809.1, 69-4823
Enacts Sections 69-4809.2, 69-4820.1, 69-4824.1

507	HB 220	Cotton	7/1/73	4/2/73

Various amendments to Teachers' Retirement System; increase per diem compensation of members of the governing board from $20 to $25 and removes the maximum annual compensation ceiling of $300; raises the employees' deduction rate from 5% to 5 1/8%; raises the employer's contribution rate from 5 1/8% to 5 1/4%; allows retirement benefits to be paid to persons having completed 35 years of creditable service; raises optional benefit allowances and schedule for benefit allowances for superannuation retirement; provides for payment of $500 lump sum death benefit; allows for service credits when a teacher is on leave; changes credit for out-of-state teacher and prior military service; provides for a tax deferred annuity program sponsored by the Teachers' Retirement System.

Amends Sections 75-6204, 75-6206, 75-6207, 75-6208, 75-6212, 75-6213
Enacts Section 75-6219

508	HB 350	Marbut	7/1/73	4/2/73

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Establishes a statewide program of protective services for the developmentally disabled; with regard to such a program, the Department of Social and Rehabilitative Services is authorized to provide direct services, enter into a contract with any responsible agency, public or private, for provision of protective service, or accept appointment by any district court as guardian or protector of a mentally retarded or other developmentally disabled person; services provided are to include assistance in obtaining housing, clothing, food, education, employment or employment training, medical and legal services, insurance and financial advice and participation in cultural and recreational activities; Department of Social and Rehabilitative Services is to report to the legislature as to the success of this program no later than 12/31/74.

509	HB 465	Baucus	7/1/73	4/2/73

Broadens the statement of public policy to extend laws controlling water to include solid waste disposal and to refer to the quality of water for all beneficial uses; revises definition of "subdivision" to include any condominiums or mobile home sites, regardless of size of parcel of land; requires approval of subdivision plats and plans by the Department of Health and Environmental Sciences prior to filing with a county clerk and recorder; provides for enforcement proceedings and hearings on alleged violations; department may require the use of records and assistance from all state, county and municipal agencies.

Amends Sections 69-5001, 69-5002, 69-5003, 69-5005

510	HB 522	Gerke	7/1/73	4/2/73

Authorizes the financing of the long-range building program through the issuance of bonds payable from special taxes and further supported by the full faith and credit of the state of Montana; authorizes the Board of Examiners to issue and sell long-range building bonds in an amount not exceeding $2,500,000 over and above the amount of the long-range building program bonds outstanding on January 1, 1973.

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Amends Sections 79-2201 through 79-2205

511	SB 40	Siderius	7/1/73	4/4/73

Codification and general revision of the laws relating to the Department of Fish and Game.

Amends Section 26-103, 26-104, 26-106, 26-110, 26-115, 26-117, 26-118, 26-121, 26-123, 26-124, 26-125, 26-133, 26-136, 26-210, 26-213, 26-220, 26-221, 26-222, 26-306, 26-324, 26-333, 26-345, 26-402, 26-501, 26-501.1, 26-506, 26-509, 26-908, 26-911, 26-912, 26-921, 26-1001, 26-1002, 26-1008, 26-1101, 26-1205, 26-1212, 26-1302, 26-1303, 62-304, 62-307, 69-3504, 69-3505, 69-6602, 82A-2003, 82A-2004
Repeals Sections 26-101, 26-102, 26-104.2, 26-105 and 26-105.1, 26-106.1 and 26-106.2, 26-116, 26-120, 26-209, 26-224, 26-905, 26-910, 62-309, 62-404, 69-6603, 69-6604, 82A-217, 82A-2002,
Enacts Sections 26-101.1, 26-104.3, 26-104.4, 26-104.5, 26-104.6, 26-104.7, 26-104.8, 26-104.9, 26-110.3, 82A-2001.1, 82A-2005

512	SB 72	Boylan	7/1/73	4/4/73

Provides that agricultural land shall be classified, appraised, and assessed according to its value for agricultural purposes without regard to the best and highest value of adjacent or neighboring lands; provides that when land which has been in agricultural use is applied to another use, it shall be subject to an additional "roll-back tax", defined as a tax on the period preceding the change in use of the land not to exceed four years; provides procedures for calculating the amount of additional roll-back tax to be paid at the time land is changed from agricultural use; (1) defines qualifications for agricultural classification; empowers Department of Revenue to promulgate rules and regulations and to prescribe forms to effectuate the purposes of the act.

Amends Sections 84-401, 84-429.12

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513	SB 109	Turnage	~~7/1/73~~ 1/1/74	4/4/73

Creates the Montana Criminal Code of 1973; general purposes of the code are: (a) to forbid and prevent conduct that is without fault from condemnation as criminal; (b) to safeguard conduct that is without fault from condemnation as criminal; (c) to give fair warning of the nature of conduct declared to constitute an offense; (d) to differentiate on reasonable grounds between serious and minor offenses; the rule of common law, that penal statutes are to be strictly construed, has no application to the code; the code codifies and generally revises Title 94, R.C.M., 1947.

Amends Sections 25-222 through 25-225, 25-229, 26-110.1, 26-110.2, 69-1511, 69-1607, 85-105, 95-506
Repeals Sections 95-2006, 95-2206
Enacts Sections 41-118, 95-719, 95-1507, 95-1711, 95-1807, 95-1808, 95-2006, 95-2206 through 95-2206.4, 95-2227 through 95-2229, 95-3004, 95-3012, 95-3101 through 95-3130.

NOTE: For codification and revision of Title 94 see Index.

514	SB 178	Carl	4/4/73	4/4/73

Various amendments relating to the operation, occupancy, licensing and certification of motor boats and other vessels; provides that all fines and forfeitures arising from violations of the Motorboat and Vessel Regulation Act shall be deposited to the motorboat account of an earmarked revenue fund and used only by the Fish and Game Commission for enforcement of Sections 69-3501 through 69-3518, R.C.M., 1947; provides for the protection of navigational markers.

Amends Sections 69-3502, 69-3503, 69-3504, 69-3504.1, 69-3505, 69-3506, 69-3508, 69-3508.1, 69-3508.2, 69-3510, 69-3512, 69-3514, 69-3517, 69-3518

515	SB 469	Carl	4/4/73	4/4/73

Revises requirements for incorporation of unincorporated territories; requires petition to the board of county commissioners signed by not less than two

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thirds of the qualified electors, but not more than 300 such electors who are residents of the state and who reside within the limits of the proposed incorporation; petition must contain description of the proposed city or town and of the several wards thereof, each of which must contain 150 qualified electors or more.

Amends Section 11-203

516	HB 15	Shelden (by request)	7/1/73	4/4/73

(constitutional implementation) Amends Title 84, R.C.M., 1947 to delete all references to the State Board of Equalization as the tax administering agency for the state and replaces references to the board with the words "State Department of Revenue."

NOTE; For amendments to Title 84, see Index.

HOUSE JOINT RESOLUTIONS

Resolution No.	Summary of Resolution	Date Signed By Governor
1	Requesting the federal government to reimburse all states for old-age assistance, aid to dependent children and needy blind, aid to the permanently disabled and medical assistance payments for Indians who reside on reservations or on allotted or trust lands.	3/19/73
2	Requesting that all credits granted by units of the Montana University System be fully and equally transferable among the several units.	3/6/73
3	Directing the bills and journal committees of the Senate and House of Representatives to meet as a joint committee for the purpose of devising a new format for the journals of the Senate and House of Representatives.	2/8/73
5	Directing the Legislative Council to study the operations of the Water Resources Division of the Department of Natural Resources and Conservation.	3/15/73
9	Directing the Environmental Quality Council to undertake a Montana land use policy and legislation study and requesting the Governor to appoint an Interdepartmental Advisory Committee.	3/7/73
10	Designating Miss Montana as an honorary hostess of the State of Montana.	3/8/73
11	Declaring the rights of mentally retarded persons as to opportunities for normalization.	3/10/73
12	Requesting that the U.S. Congress take	2/25/73

Resolution No.	Summary of Resolution	Date Signed By Governor
	action to restore funds for the Rural Environmental Assistance Program and the Water Bank Program.	
14	Requesting that the Legislative Council conduct a study of the laws relating to elections for cities and towns and to report its findings and recommendations together with any necessary legislation to the Second Session of the 43rd Legislative Assembly.	3/15/73
16	Urging the United States Army Corps of Engineers to give maximum consideration to the maintenance of high-quality recreational opportunities in the development and execution of its operating plan for Lake Koocanusa and that the Corps of Engineers specify exact fluctuation limits and criteria in the operating plan.	3/15/73
18	Requesting the Legislative Council to conduct a study to determine an acceptable minimum level of services to be provided by county and city-county health departments, the feasibility of creating district public health departments, and an economical means for providing public health services to the people of Montana.	3/21/73
21	Urging that all military cemeteries be administered by the Veterans' Administration and that the Custer Battlefield National Cemetery be granted more land.	3/15/73
22	Requesting the Legislative Council to study the funding and operation of the various pension and retirement systems for public employees.	3/15/73
27	Directing the President of the United States to reinstate the Rural Electrification Act Two Percent (2%) Interest Direct Loan Program.	3/5/73

Resolution No.	Summary of Resolution	Date Signed By Governor
31	Directing the Department of Fish and Game to review water resource projects to determine outdoor recreational potential prior to sale or disposition of the projects by the Department of Natural Resources and Conservation.	3/19/73
32	Requesting the Legislative Council to study the office of State Treasurer.	3/6/73
34	Directing the Legislative Council to study the results of the Oregon Bottle Act, the Washington Litter Act, other state acts, and non-governmental entities on litter control, solid waste disposal, recycling, and energy conservation.	3/6/73
37	Urging Indian public health services to provide medical assistance to off-reservation Indians.	3/24/73

SENATE JOINT RESOLUTIONS

Resolution No.	Summary of Resolution	Date Signed By Governor
1	Requesting the Legislative Council to conduct a study of the problems involved in the 1972 Montana Constitution in Article II, Section 8, "Right to participation", and Section 9, "Right to know", concerning the various fundamental citizens' rights involved, and report its findings to the Second Session of the Forty-third Legislative Assembly together with draft legislation.	1/24/73
2	Requesting that the Legislative Council conduct a study of the problems involved in Article II, Section 18, "State subject to suit" of the 1972 Montana Constitution concerning the abolition of the doctrine of governmental immunity, and report its findings to the Second Regular Session of the Forty-third Legislative Assembly together with draft legislation of a procedure to process claims.	1/29/73
3	Directing the Legislative Council to conduct a study of qualifications, training, compensation and number of Justices of the Peace.	1/30/73
4	Requesting the Legislative Council to conduct a study of the problems involved in Article II, Section 15, "Rights of persons not adults" of the 1972 Montana Constitution concerning the rights of persons under eighteen (18) years of age, and report its findings to the Second Session of the Forty-third Legislative Assembly together with draft legislation.	1/29/73
5	Requesting the United States Department of Agriculture to treat Montana's winter allowance as an income disregard rather than an addition to income.	2/8/73

Resolution No.	Summary of Resolution	Date Signed By Governor
8	Urging the Montana Agricultural Stabilization and Conservation State Committee to adopt immediately the emergency measures now known by the Agricultural Research Service, Soil Conservation Service, Federal Extension Service, experiment stations and other agencies to reduce Montana's conserving base, to minimize summer fallowing, to maximize cropping flexibility, and to prevent further destruction of Montana's cropland and further pollution of Montana's water by saline-alkali seep, in accordance with the principles of conservation of natural resources in soil and water as set out in the Soil Conservation and Domestic Allotment Act, as amended.	3/17/73
9	Urging the Montana Agricultural Stabilization and Conservation State Committee to effect close coordination with the Cooperative Extension Service, Soil Conservation Service, Agricultural Experiment Stations and Montana State University at state and county levels and to effect immediate, sharp, downward adjustments in Montana's conserving base acres to provide a reliable feed supply at stable cost for Montana's livestock and feeding industries to improve the statewide economy and to correct wastage of Montana's natural resource in soil and water by erosion and saline seep.	3/23/73
12	Requesting the Legislative Council to maintain a continuing study committee to oversee the efforts of the six units of the University System in avoiding unnecessary duplication.	2/25/73
13	Requesting the Legislative Council to study the problems surrounding use of privately owned lands for hunting and fishing in order that a comprehensive	2/25/73

Resolution No.	Summary of Resolution	Date Signed By Governor
	system of "pay hunting" may be developed.	
14	Requesting and urging that the Congress of the United States take effective action to restore to the State of Montana the full amount of the funds which have been legally apportioned to the state but which have been improperly reduced and curtailed by the executive branch of the federal government through the device of "contract controls" and "limitations of obligation."	3/17/73
15	Directing the Legislative Council to evaluate the need for state coordination of the planning, marketing, and servicing of bond issues in the State of Montana.	3/3/73
16	Asking federal block grant assistance to upgrade law enforcement and criminal justice in Montana be continued.	3/8/73
17	Encouraging the public schools to include in their curricula courses on Indian history, culture and contemporary affairs, and teacher training institutions to provide programs specifically designed to prepare teachers to teach Indian children.	2/25/73
18	Directing that select committees of the Senate and House of Representative study all legislative proposals concerning gambling and wagering and directing members of the Forty-third Legislature to introduce all legislative bills concerning gambling or wagering prior to the sixtieth legislative day of the 1973 Session of the Forty-third Legislature.	3/17/73
19	Requesting the Legislative Council to evaluate and report upon the manner in which audits of political subdivisions of the state are accomplished.	3/5/73

Resolution No.	Summary of Resolution	Date Signed By Governor
20	Urging President Richard M. Nixon to review the plight of Montana and to release desperately needed funds which have been appropriated for Montana programs.	3/3/73
21	Requesting the Legislative Council to conduct a study of the construction laws of the State of Montana and direct that said laws be recodified into a modern and adequate construction code.	3/8/73
22	Requesting that the Legislative Council conduct a study of a statewide, uniform license fee system of taxation of automobiles, in lieu of the new car sales tax and personal property taxes with an anniversary system of licensing and registration of vehicles throughout the year, and if they find such legislation feasible, to draft legislation for the implementation of such a system.	3/5/73
23	Urging Secretary Earl Butz, Presidential Counselor for Natural Resources, to work toward provision of adequate funds for productive management of federal lands.	3/8/73
24	Directing the Environmental Quality Council to undertake a study, make recommendations and propose legislation concerning the development and implementation of a state energy policy as it relates to a developing national energy policy and requesting the Governor to direct the coal task force to work with and advise the Environmental Quality Council.	3/7/73
25	Requesting the President and the Congress of these United States to make available additional moneys and manpower for predator control research.	3/8/73
26	Requesting the Congress and the President	3/5/73

Resolution No.	Summary of Resolution	Date Signed By Governor
	of these United States to establish a National Rabies Wildlife Research Program to provide protection to the citizens of Montana and other states.	
27	Providing for a special committee to inquire into the requirements necessary to insure a high quality of legislative employees.	3/23/73
28	Urging motorists to drive with their headlights on low beam in the daytime to deter head-on collisions; and providing an effective date.	3/23/73
30	Expressing gratitude to Montana landowners who share the public fish and wildlife resources and reaffirming support of proper fish and wildlife management.	3/8/73
31	Requesting the Legislative Council to study the administration and finance of Montana libraries.	3/17/73
33	Requesting the Governor of the State of Montana immediately to marshal all resources of the state and to seek emergency aid from the federal government to halt further destruction of Montana's natural resources in soil, water and wildlife and further damage to Montana's ecology and economy by saline seep caused by agricultural practices and geologic conditions.	3/8/73
34	Providing for the Legislative Council to conduct an interim study of health maintenance organizations for Montana.	3/8/73
35	Encouraging the Department of Natural Resources and Conservation to investigate the feasibility of the state	3/15/73

Resolution No.	Summary of Resolution	Date Signed By Governor
	constructing water resource projects to supply water, if needed, for coal development in Eastern Montana.	
36	Requiring the legislative administration committees of the House and Senate meeting jointly to employ a business manager.	3/23/73
37	Expressing the support of the Montana Legislative Assembly for legislation proposed in Congress which calls for the establishment of mining, mineral, and environmental research centers in each state.	3/15/73
38	Requesting the Montana Congressional Delegation to urge the appropriate agencies of the United States Government to fulfill their responsibility to reconstruct the access roads to missile sites in the nine (9) county missile complex area to bring said roads into compliance with essential minimum standards of safety.	3/9/73
39	Affirming the Governor's appointment of a coal task force and requesting that the coal task force continue to investigate and report on the impact of coal development and coordiante coal-related research proposals.	3/6/73
40	Requesting the Director of the Department of Business Regulation to create an unfair practices advisory council to advise the Department regarding enforcement of the Unfair Practices Act.	3/5/73

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